



SALW Survey of Kosovo



SEESAC

South Eastern and Eastern Europe Clearinghouse
for the Control of Small Arms and Light Weapons





The **South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons** (SEESAC) has a mandate from the United Nations Development Programme (UNDP) and the Stability Pact for South Eastern Europe (SCSP) to further support all international and national stakeholders by strengthening national and regional capacity to control and reduce the proliferation and misuse of small arms and light weapons, and thus contribute to enhanced stability, security and development in South Eastern and Eastern Europe.

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Acronyms and abbreviations

COMKFOR	Commander KFOR
CTA	Chief Technical Advisor
DfID	Department for International Development
DPLA	Department of Political and Legal Affairs
DSRSG	Deputy Special Representative of the Secretary-General
EAR	European Agency for Reconstruction
EC	European Community
EU	European Union
FARK	Armed Forces of the Republic of Kosovo
FGD	Focus group discussion
FRY	Federal Republic of Yugoslavia
HHS	Household survey
ICG	International Crisis Group
IHSOP	Institute for Strategic Research of Public Opinion
IPSC	International Private Security Company
ISAC	Illicit Small Arms Control Project (UNDP Kosovo)
ISSR	Internal Security Sector Review
JACIG	Joint Arms Control Implementation Group
JNA	Yugoslav People's Army
KAPSED	Kosovo Academy of Public Safety, Education and Development
KFOR	Kosovo Protection Force
KII	Key informant interview
KLA	Kosovo Liberation Army (UCK)
KPC	Kosovo Protection Corps
KPS	Kosovo Police Service
KSAG	Kosovo Security Advisory Group
KSIP	Kosovo Standards Implementation Plan
LDK	Democratic League of Kosovo
LPSC	Local Public Safety Committees
MAFRD	Ministry of Agriculture, Forestry and Rural Development
MANPADS	Man-Portable Air Defence Systems
MCSC	Municipal Community Safety Councils
MOH	Ministry of Health
MOJ	Ministry of Justice
MTA	Military Technical Agreement
MUP	Serbian Ministry of Internal Affairs
NATO	North Atlantic Treaty Organisation
NATO AASPT	NATO Allied Ammunition Storage and Transportation Publications
NGO	Non-governmental organisation
OKPCC	Office of the KPC Coordinator
OLA	Office of Legal Affairs



OPM	Office of the Prime Minister
OPS	Office for Public Safety
OSCE	Organisation for Security and Cooperation in Europe
PDK	Democratic Party of Kosovo
PfP	Partnership for Peace
PISG	Provisional Institutions of Self-Government (Kosovo)
PSC	Private Security Company
RIP	Regional Implementation Plan
RMDS/G	Regional Micro-Disarmament Standards and Guidelines
RSG	Regional Steering Group
RTK	Radio Television of Kosovo
SAA	Stabilisation and Association Agreement
SALW	Small Arms and Light Weapons
SCG	Serbia and Montenegro
SECI	Southeast European Cooperative Initiative
SEE	South Eastern Europe
SEESAC	South Eastern and Eastern Europe Clearinghouse for the Control of SALW
SFRY	Socialist Federal Republic of Yugoslavia
SRS	Special Representative of the Secretary-General of the United Nations
SSPIU	Security Service Providers Inspection Unit
SWSS	Safe Weapons Storage Unit
TAC	Threat Assessment Committee
UCK	Kosovo Liberation Army (KLA)
UCPMB	Liberation Army of Preshevo, Medvegje and Bujanovac
UNDDA	United Nations Department of Disarmament Affairs
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNMIK	United Nations Interim Administration Mission in Kosovo
UNPoA	United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
UNSCR	United Nations Security Council Resolution
UPK	Army for the Independence of Kosova (KLA)
US	United States
WAC	Weapon Authorization Card
WAS	Weapon Authorization Section
WRC	Weapon Registration Card

Executive Summary

Background

This report presents the findings of a Small Arms and Light Weapons (SALW) Survey of Kosovo, commissioned by SEESAC and undertaken by the Kosovo-based NGO Forum for Civic Initiatives, in partnership with Saferworld. By providing information that may support the work of security providers, policy makers and legislators, the SALW Survey is intended as a contribution to ongoing attempts at controlling SALW in Kosovo. As such, it covers four main areas of analysis: the distribution of SALW across Kosovo, the impact of SALW on the human environment, the views of the public towards SALW and security in their communities, and the capacity of institutions for dealing with SALW problems in Kosovo.

The research for this SALW Survey was undertaken during a five-month period from February to June 2006. A variety of research methods were used during the research, including a Kosovo-wide household survey (HHS) of 1,258 respondents (standard error margin 2.8%); ten focus group discussions; interviews with more than one hundred key officials and opinion-formers; and a review of official data and media reports. A consultation process begun in April 2006 allowed officials of the Kosovo Government and United Nations Interim Administration Mission in Kosovo (UNMIK) to review and contribute to research findings. The comments received as a result of these processes are reflected in the relevant Sections of the Survey and in an accompanying recommendations document.

Having been the subject of an intense armed conflict and subsequent military intervention by NATO forces in 1999, Kosovo remains today under international administration. While ultimate executive authority over the administration of the territory rests with the Special Representative of the UN Secretary-General, an indigenous government called the Provisional Institutions of Self-Government (PISG) was established in 2001 and competencies are now being gradually transferred to it. Headed by a Prime Minister and a President, the PISG has recently entered into UN-brokered negotiations with counterparts from Serbia in order to agree on a new legal status for the province, to be implemented after the end of the UN interim administration mission.

Like many of its neighbours, Kosovo has suffered the consequences of internal SALW proliferation following its period of conflict. Illegal SALW possession has long been believed to be widespread, and previous estimates have put the number of unregistered SALW held within the territory at between 310,000 and 440,000 weapons.¹ Partly as a consequence of this, Kosovo has been affected by high levels of armed crime and has also seen the recurrent use of SALW during periods of tension. Ongoing violence in Kosovo can be attributed to a number of factors, including political and ethnic rivalries stemming from the conflict and organised crime. All of this occurs against a background of high unemployment, political uncertainty regarding the territory's final status and a still developing criminal justice system. Whether in the case of ordinary civilians who are driven to keep firearms for their own security, or of criminal groups, the circulation of illicit SALW in Kosovo appears to be both a cause and effect of such problems.



Weapons seizure

Key findings

SALW Distribution

- This Survey estimates that, as of June 2006, there were approximately 400,000 weapons in Kosovo. Of these, 33,949 firearms were in the legal possession of individual citizens; 45,217 firearms were in the hands

¹ Khakee, A. and Florquin, N., *Kosovo and the Gun: A baseline assessment of Small Arms and Light Weapons in Kosovo*, Small Arms Survey, June 2003.



of official agencies and international private security companies; and at least 317,000 firearms were in the illegal possession of individual citizens and other groups.

- Recent decisions or plans to arm some Customs and Forestry Service personnel may represent an increasing trend towards arming state officials who are authorized to use coercive force.
- There is currently a two-tier system for arming private security companies, with international companies and personnel permitted to carry weapons, and local companies and personnel prohibited from carrying weapons.
- KPS evidence rooms often contain significant quantities of seized SALW, some of which have been stored for a number of years and are not adequately secured. Slow judicial proceedings however block the envisaged destruction of many stocks.
- According to focus group respondents, weapons possession is more prevalent in rural and border areas, and many Kosovans consider this to be legitimate given the level of insecurity in these locations.
- Efforts to establish a regulated civilian firearms registration system have been undermined to date by an absence of channels for the legal acquisition of SALW. The current system for the issuance of civilian weapon permits may have the unintended effect of legalising some illicit weapons and of fostering the development of the illicit market for SALW.
- Regulations and procedures for licensing civilians to hunt with weapons and for registering weapons used for hunting remain confused.

Impact of SALW

- Medical records from the Pristina University hospital indicate that the impact of SALW misuse on public health, while accounting for 3.5% of all recorded deaths, has not been severe in the period from 2003 to 2005. The level of firearm-related injuries rose sharply during the period of heightened tension and violence in March 2004, but was much less severe in the years before and after.
- Household survey responses show that Kosovo-Serbs are proportionally more likely to have been a victim of SALW-related crime than Kosovo-Albanians.
- There is a frequent perception among Kosovo-Albanians and Kosovo-Serbs alike that members of the other ethnic group are well armed and that maintaining SALW ownership is important to sustain 'a balance of fear'.
- Perceptions of insecurity among minority communities are magnified by a belief that even if reported, crimes will not be promptly and properly investigated, nor perpetrators brought to justice.
- According to Kosovo Police Service (KPS) data and civil society groups working on the issue, firearms are used in violent domestic incidents, most frequently by men to intimidate women.

Attitudes and perceptions regarding SALW

- 87% of household survey respondents believe illegal firearms pose a threat to the future prosperity of Kosovo. However, issues such as unemployment, poor electricity supply, bad roads, and environmental problems were perceived as the most pressing concerns by all social groups.
- Of the 23.6% of the household survey respondents who said that they would eventually acquire a weapon, an overwhelming majority (76.8%) stated that their main reason for doing so would be to protect themselves and their family.
- Insufficient protection from crime offered by the criminal justice system was the most often cited reason for personal firearm possession.
- Kosovo-Serb respondents are much more likely to perceive their area as unsafe than other ethnic groups (20% of Kosovo-Albanians versus 84% of Kosovo-Serbs fear that they may become a victim of crime in the future).
- Perceptions of security were more likely to be positive in mono-ethnic areas.

- Household survey (HHS) and focus group discussions results show that the Kosovo Protection Corps (KPC) is the body most trusted to provide border security by Kosovo-Albanians, followed by the NATO-led Kosovo Force (KFOR). In contrast, almost two-thirds of Kosovo-Serb respondents thought that 'other' forces should protect Kosovo's borders. In addition, evidence suggests that many Kosovo-Serb individuals perceive the Serbian Army as the only competent and trustworthy body to undertake this role.
- The majority of Kosovo-Albanians surveyed prefer that in the future the KPC becomes an army, while a large majority of Kosovo-Serbs believe that it should be completely disbanded. In addition, although there is no supporting evidence for this belief, many Kosovo-Serbs are suspicious about the number and types of SALW possessed by the KPC.

Capacity to control SALW

- The legislative framework for regulating the international transfer of arms and military equipment to and from Kosovo contains many loopholes.
- Previous voluntary SALW Collection programmes have returned few weapons, and there has been no system-wide evaluation of previous campaigns, a fact that may hinder future attempts.
- Evidence from a variety of sources indicates that there would be no purpose in organising a Kosovo-wide voluntary SALW Collection until after Kosovo's final status has been agreed. It also appears that the factors that would stimulate the surrender of SALW during a future SALW Collection programme are: 1) a decision on the final status of Kosovo; 2) an improvement in economic conditions; and 3) the use of individual or collective incentives.
- Kosovans consider the failure of previous SALW Collection programmes to be the result of a continuing fear of conflict and instability, and of minimal trust in security providers. This is more pronounced amongst the Kosovo-Serb population. However, a significant proportion of Kosovo-Albanians consider family tradition to be the primary factor preventing people from surrendering their SALW during amnesty periods.
- There are major gaps in the production, collection and analysis of SALW-related statistics by Kosovo health and law enforcement institutions. No comprehensive data on deaths and injuries due to firearms is collected, making it difficult to measure the direct impact of firearms on public health. The fact that different sets of crime statistics are seen to be kept by the KPS and UNMIK Police, makes it difficult for Kosovo institutions to develop public policy responses to the impact of SALW.
- While most relevant institutions demonstrate welcome levels of transparency and share information on SALW, others fail to display a genuine willingness to share this knowledge to inform more effective SALW Control.
- A majority of justice sector professionals perceive security for courts to be inadequate. Many of them express a desire for additional protection through the right to bear arms or to hire bodyguards, citing threats against their person.
- Police and judicial capacity to implement the law regulating SALW possession is lacking, with exceptional problems arising in northern parts of Kosovo due to the operation of parallel structures and the significantly lower capacity of KPS, KFOR and UNMIK.
- Institutional arrangements for the development or implementation of SALW Control policy are still very weak.

There can be no doubt that SALW Control poses a fundamental challenge to the stability of Kosovo, and that this is only likely to come into sharper focus as a decision on final status moves closer. Over recent months there have been a number of encouraging signals that international and Kosovan power-holders are committed to addressing the issue of SALW proliferation and misuse. This will not always be easy: many of the problems identified in this report compete for priority and some are complex, particularly when considered in light of existing processes and plans for the territory. Further, as is the case in most other transitional post-conflict societies, the control of SALW is not an end in itself and cannot be achieved successfully unless it is seen as a component of much broader processes of reform and change.



SALW Control in contemporary Kosovo should therefore be integrated into existing initiatives such as the final status negotiations and ISSR, as well as into rule of law programmes. It is critical that leadership is provided to ensure that SALW becomes and remains a key element of broader reforms of the security sector. To this end, coordination at a senior governmental level is needed to translate the findings and recommendations from this and other research into effective and relevant public policy that can be implemented at all levels across Kosovo. To enable this, international administrators should continue to encourage the engagement of PISG at the organisational as well as individual levels with SALW issues in order to ensure that the future transfer of power promotes rather than damages the rights of Kosovans to safety and security.

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SALW Survey of Kosovo

1 Introduction

1.1 Background

Having been the subject of an intense armed conflict and a subsequent military intervention by NATO forces in 1999, Kosova/Kosovo (hereafter referred to as Kosovo) remains under international administration.¹ Like many of its neighbours, the territory has suffered the consequences of internal SALW proliferation following its period of conflict. Illegal SALW possession has long been believed to be widespread, and previous estimates have put the number of unregistered weapons held within the territory at between 310,000 and 440,000.² Partly as a consequence of this, Kosovo has been afflicted by high levels of armed crime and has seen the recurrent use of SALW during periods of tension. Ongoing violence in Kosovo can be attributed to a number of factors, including political and ethnic rivalries stemming from the conflict, organised crime and revenge attacks connected with blood feuds. All of this occurs against a background of high unemployment, political uncertainty regarding the territory's final status and a still developing criminal justice system. Whether in the case of ordinary civilians who are driven to keep firearms for their own security, or of criminal groups, the circulation of illicit SALW in Kosovo appears to be both a cause and effect of such problems.



Seized small arms, grenades and rifle sights

This report represents the findings of an independent SALW Survey of Kosovo commissioned by SEESAC and the EUSAC project of UNDP Kosovo in light of the above concerns. It was conducted by UK-based NGO Saferworld, in partnership with The Forum for Civic Initiatives (FIQ) and the Gani Bobi Research Institute, both of which are based in Kosovo. The Survey was undertaken in accordance with the SALW Survey Protocols,³ and is intended as a contribution to ongoing attempts to control SALW in Kosovo by providing information that may inform the work of security providers, policy makers and legislators. As such, it covers four main areas:

- Small Arms Distribution Survey, which investigates the distribution of SALW across Kosovo;
- Small Arms Impact Survey, which examines the impact of SALW on the human environment, specifically by looking at armed crime and the impact on individuals, communities and government institutions;
- Small Arms Perception Survey, which assesses the views of the public towards SALW and security in their communities;
- Small Arms Capacity Survey, which examines the capacity of institutions to deal with SALW problems in Kosovo.

1.2 Methodology

The research for this Survey was undertaken during a five-month period from February to June 2006. The research team used a wide variety of sources in order to gather the data required for a comprehensive study, both to ensure a high level of accuracy and allow for detailed analysis of the situation. The sources included:

¹ Although a Constitutional Framework for Kosovo was implemented following elections in 2001, until very recently, the United Nations Interim Administration Mission in Kosovo (UNMIK) has held full executive authority in core areas of justice and security provision, with the Provisional Institutions of Self-Government (PISG) established in 2001 holding competencies in less sensitive areas such as health and education.

² *Op cit.*, Khakee, A., et al.

³ Specifically, the Regional Micro Disarmament Standard/Guideline (RMDS/G) 05.80 and the accompanying SALW Survey Protocols 1, 2, 3 and 4. See: <http://www.seesac.org/resources/0580e.pdf> and <http://www.seesac.org/index.php?content=41§ion=6>.



- A Kosovo-wide household survey (HHS) conducted in Albanian and Serbian by the Centre for Humanistic Studies 'Gani Bobi'. The Survey was carried out in March 2006, and was answered by 1,258 heads of households across Kosovo covering all main ethnic and social groups.
- Ten focus group discussions; seven in Prishtinë/Priština (both male and female focus groups), Gllloboçicë/Globocicë, Pejë/Peć, Graçanicë/Gracanica, Leposaviq/Leposavić, and Mitrovicë/Mitrovica, with a further three focus groups being conducted with businesspeople, war veterans and young people. These were used to provide a deeper understanding of their perceptions and priorities on SALW and security issues. The focus groups included a larger proportion of women, with two female-only groups, and a further two mixed discussions to compensate for their under-representation in the HHS sample.
- Over one hundred 'Key Informant' Interviews (KII) with government officials, technical specialists (military, police, psychologists, arms control implementers, investigative journalists) and community leaders.
- Analysis of media reports (both Kosovan and international) for the period January 2005 to July 2006, in order to gather additional information on the levels and type of SALW use across Kosovo.
- Analysis of official economic, medical and criminal data accessed either directly from relevant institutions or from public sources.
- A desk review of relevant academic and research papers (both international and national) published on SALW or related issues in recent years.

A process of consultation with the PISG and UNMIK officials on the initial findings of the Survey began in April 2006 in order to better inform responses to the SALW problem in Kosovo. A separate document containing the preliminary research findings and accompanying recommendations was then submitted to all relevant stakeholders; both those of Kosovo's PISG and the international administration. Their views were solicited through a series of individual meetings, and also in writing. Finally, an inter-ministerial roundtable was held in June 2006 to discuss the findings and enable the different ministries to co-ordinate their response. The comments received as a result are reflected in the final recommendations document and are available on request from the authors.

2 Small Arms Distribution Survey

2.1 Overall distribution

This Survey estimates that, as of June 2006, there were nearly 400,000 weapons in Kosovo. Of these:

- 33,936 firearms were in the legal possession of individual citizens;
- 45,217 firearms were in the hands of official agencies and international private security companies;
- At least 317,000 firearms were in the illegal possession of individual citizens and groups.

This Chapter provides a detailed breakdown of the distribution of SALW in each category and, where estimates are given, information on the method used to calculate them.

2.2 Legal SALW

2.2.1 Civilian SALW holdings

As of June 2006, the Weapon Authorization Section (WAS) of the Kosovo Police Service (KPS) had registered 33,949 firearms belonging to individual civilians (both Kosovans and internationals). Of these, 99.5% (33,774) were hunting and recreational weapons, with the remainder being firearms registered with a Weapon Authorization Card (WAC), held for self-defence or close protection (see below).

TYPE OF WEAPONS REGISTERED	NUMBER OF WEAPONS REGISTERED
Hunting and recreational weapons	33,774
WAC-registered weapons ⁴	175
TOTAL	33,949

Table 1: Registered weapons owned by civilians

(Source: WAS data)

As the regional breakdown in Table 2 below shows, Prishtinë/Priština has the highest number of registered SALW. However, Prishtinë/Priština accounts for 25% of all registered SALW, with Mitrovicë/Mitrovica accounting for almost 20%. The regions of Gjilan/Gnjilane, Pejë/Peć and Prizren/Prizren accounted for around 15% each, while the Ferizaj/Uroševac region accounted for just over ten percent of registered hunting and recreational weapons.

LOCATION	NUMBER	% OF TOTAL
Prishtinë/Priština	8,653	25.6%
Mitrovicë/Mitrovica	6,670	19.8%
Pejë/Peć	5,292	15.7%
Gjilan/Gnjilane	4,842	14.4%
Prizren/Prizren	4,811	14.3%
Ferizaj/Uroševac	3,506	10.4%
TOTAL	33,774	-

Table 2: Geographical distribution of registered hunting and recreational weapons

⁴ This number includes 162 WAC-registered weapons held by Kosovan and non-Kosovan individuals, and 13 WAC-registered weapons held by international private security companies (IPSCs). With regards to local private security companies, staff who are either citizens of Kosovo or nationals of the ex-Yugoslav successor states or of those states neighbouring Kosovo are not permitted to carry weapons. For further information regarding firearms held by IPSCs, see Section 2.2.2.6 of this Chapter.



The majority of WAC-registered firearms are handguns, though weapons with calibres of 7.62mm, 7.65mm and 7.9mm have also been registered. According to KPS data, of Kosovo's 162 individual civilian WAC-holders (each holding one firearm only):

- 71 were individuals who required them for their personal protection; and
- 91 were bodyguards providing close protection to individuals deemed to be at risk.⁵

In contrast to the fairly wide geographic distribution of registered hunting and recreational weapons, individual WAC-holders appear to be concentrated in Prishtinë/Priština, with 60% of all WAC-holders based there (see Table 3 below). Further, as of June 2006, 83% of individual WAC-holders were Kosovo-Albanians, with only two Kosovo-Serbs in possession of a WAC-licensed firearm (see Table 4 below).

LOCATION	NUMBER
Prishtinë/Priština	105
Pejë/Peć	19
Mitrovicë/Mitrovica	15
Gjilan/Gnjilane	13
Prizren/Prizren	9
Ferizaj/Uroševac	14 (Including 13 registered to IPSCs)
TOTAL	175

Table 3: Possession of WACs by ethnicity

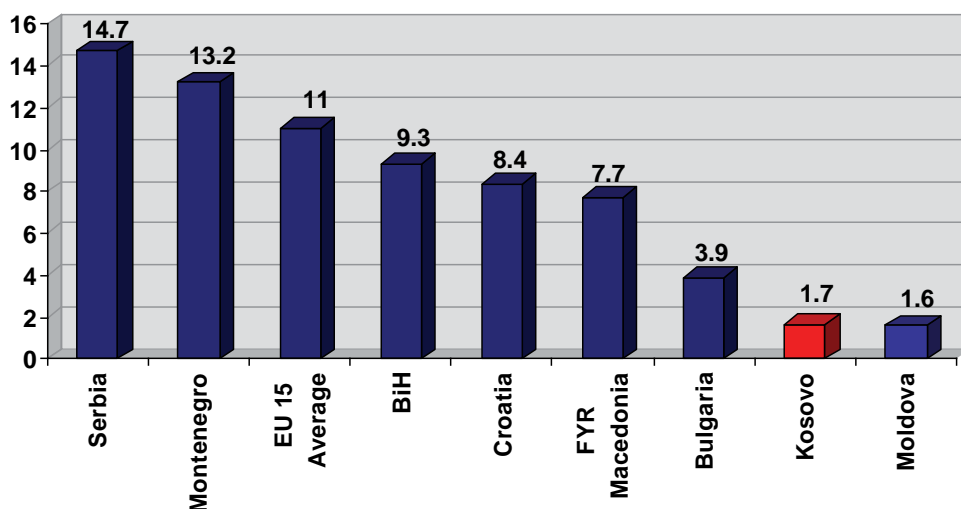
ETHNICITY	NUMBER
Kosovo-Albanian	135
Kosovo-Serb	2
Non-Kosovan	38
TOTAL	175

Table 4: Ethnic and national distribution of WACs

Therefore, the combined total of registered hunting and recreational and WAC-authorized SALW suggests that there are approximately 1.7 registered firearms per 100 people in Kosovo.⁶ This rate of *per capita* legal firearm ownership is significantly below the 2004 European Union (EU) 15 average of 11 firearms per 100 people, and also falls below the rates identified in most other South Eastern European countries, with the exception of Moldova (see Figure 1 and Table 5 below). However, the situation in Kosovo with regard to firearm ownership is distorted by the fact that legal possession of firearms other than hunting and recreational weapons is not permitted, with exceptions granted only in special cases. As such, it is clear that the vast majority of Kosovo's civilian-owned weapons are illegally held, and thus it is perhaps unsurprising that the rate of registered firearms is significantly lower than in other places (see Section 2.3.1 below).

⁵ Official WAS data received from Giulio Torresi, 22 June 2006.

⁶ This is based on the population estimate of two million provided by the Statistical Office of Kosovo. Available at: http://www.ks-gov.net/esk/index_english.htm, accessed 20 June 2006.

Figure 1: Registered firearms per 100 people⁷

COUNTRY	CIVILIAN WEAPONS	POPULATION	CIVILIAN WEAPONS / 100 PERSONS	ESTIMATED ILLEGAL NUMBER OF CIVILIAN WEAPONS
Bosnia and Herzegovina	353,000	3,800,000	9.3	148,400 - 494,300
Bulgaria	305,624	-	3.9	93,200 - 259,000
Croatia	379,000+	4,500,000	8.4	-
FYR Macedonia	155,996	2,022,547	7.7	100,000 - 450,000
Kosovo	33,949	2,000,000 (est.)	1.7	-
Moldova	55,613	3,386,000	1.6	-
Montenegro	86,000	650,575	13.2	40,000 - 89,000
Serbia	1,103,300	7,498,001	14.7	900,000
EU 15 Average	-	-	11.0	-

Table 5: Registered firearms in selected countries and the region

(Source: National SALW Surveys, 2004 - 2005)

2.2.2 SALW held by official agencies

The following agencies and persons are currently permitted to hold SALW in Kosovo: KFOR; authorised UN security officers; UN Civilian Police;⁸ the KPS; the Kosovo Correctional Service; legal persons operating as international security providers registered and licensed by UNMIK; the KPC (maintaining 'KFOR authorised weapons'); and since June 2006, the Customs Service and forest guards working for the Forestry Service.⁹

⁷ These estimates are taken from the most recent SALW Survey undertaken in each country. These Surveys can be found at <http://www.seesac.org/index.php?content=&page=sur§ion=6>. The population figures reflect the census most recent to each study. The EU 15 average is taken from Small Arms Survey, Small Arms Survey 2003 (Oxford, 2003).

⁸ Hereafter referred to as UNMIK Police.

⁹ UNMIK Regulation 2001/7 'On the Authorization of Possession of Weapons in Kosovo', 21 February 2001, and UNMIK Regulation 2006/35 'Amending UNMIK Regulation 2001/7 on the Authorization of Possession of Weapons in Kosovo', 06 June 2006. This most recent amendment will allow 'a limited number of personally identified customs officers and forest guards on duty' to carry semi-automatic pistols; correspondence with Piotr Zavgorodni, Senior Legal Officer, Office of the Legal Advisor, UNMIK, 21 June 2006.



Transparency with regard to official SALW holdings varies between different agencies. Whilst most agencies approached by the Survey team openly disclosed their SALW holdings, some proved unwilling or unable to disclose such information. In such cases, where possible, an estimate was made on the basis of force numbers. Table 6 below draws together information on the numbers of weapons only possessed by official agencies in Kosovo, (no assessment was made of their ammunition holdings). The numbers are based on analysis presented in Sections 2.2.2.1 to 2.2.2.8.

AGENCY	WEAPON HOLDINGS
KPS (including the Border Police)	6,954
UNMIK Police	2,450
Kosovo Correctional Service	Not available
KPC	Approximately 2,200 (see Section 2.2.2.4)
KFOR	Estimated 33,600 (see Section 2.2.2.5)
WAC-registered IPSCs	13
Customs Service	At least 10
Forestry Service	Not available
TOTAL	45,227

Table 6: Current weapon holdings of official agencies in Kosovo

2.2.2.1 The Kosovo Police Service

Each of the 6,846 officers serving in the KPS, including the Border Police, is armed with a Glock 9 x 19 mm pistol. Each weapon remains in the personal care of the officer to which it is assigned at all times. When off-duty, weapons are stored in the home. It should be noted that the KPS does not apparently hold any weapons in reserve, instead purchasing additional weapons when necessary.¹⁰ In addition to the standard Glock pistols, the KPS holds a number of long-barrelled weapons, which are used for special policing tasks (see Table 7 below). The Border Police is also in the possession of 35 rifles, which are mostly of Yugoslav origin.¹¹

WEAPON TYPE	QUANTITY
Glock Pistols 9 x 19 mm	6,147
Glock Pistols 9 x 19 mm (Border Police)	699
AK-47 Assault Rifles	9
MP-5 Sub Machine Guns	64
Rifles (Border Police)	35
TOTAL	6,954

Table 7: Weapons held by KPS (May 2006)

(Source: KPS)

2.2.2.2 UNMIK Police

As of May 2006, UNMIK Civilian Police held 2,450 weapons, which are distributed throughout Kosovo. However, the research team did not obtain details on the specific types of these weapons or their precise geographical distribution.

¹⁰ Correspondence, Major Ali Kllokoqi, KPS Department of Public Order, 18 April, 24 April and 13 July 2006.

¹¹ Interview, Lt Col Samedin Mehmeti, KPS Border Police, 18 April 2006.

WEAPON TYPE	QUANTITY
Handguns	2,000
Long-barrelled Weapons	450
TOTAL	2,450

Table 8: Weapons held by UNMIK Police

(Source: UNMIK Police)

2.2.2.3 The Kosovo Correctional Service

Despite repeated requests, it was not possible to obtain information on the number of weapons held by the Kosovo Correctional Service or their stockpiling procedures.

2.2.2.4 The Kosovo Protection Corps

The KPC's active weapons holdings consist of 150 short-barrelled and around 200 long-barrelled weapons that are used to secure their premises. The KPC possess a further 50 deactivated weapons, which are used only for ceremonial purposes.¹² Another 1,800 KPC weapons are held in trust by KFOR, handled by a single multinational KFOR brigade at a central storage site in Prishtinë/Priština, but serviced by the KPC.¹³

WEAPON TYPE	QUANTITY
ACTIVE HOLDINGS	
Short-barrelled Weapons	150
Long-barrelled Weapons	Approx 200
DEACTIVATED WEAPONS	
SALW (Ceremonial use only)	50
WEAPONS HELD IN TRUST BY KFOR	
Type unspecified	1,800
TOTAL	Approx 2,200

Table 9: Weapons held by the KPC

2.2.2.5 NATO Kosovo Force (KFOR)

Despite requests, KFOR did not provide information on its SALW holdings and therefore an estimate has been made based on troop numbers (minimum 16,000) and likely holdings of 2.1 weapons per soldier, yielding a rough estimate of 33,600 weapons in total.¹⁴

2.2.2.6 International Private Security Companies (PSC)

International staff of private security companies operating in Kosovo are permitted to carry firearms if registered and licensed by UNMIK. Local staff and private security companies not staffed by 'internationals' may not carry firearms.¹⁵ According to the WAS of the KPS, there are currently 13 WAC-registered firearms in the possession of IPSCs operating in Kosovo.¹⁶

¹² Interview, Major Adem Bashota, KPC Special Equipment Officer, 09 March 2006.

¹³ Interview, Major Costica Paraschiv, KFOR Inspectorate for KPC, 09 March 2006.

¹⁴ The multiplier of 2.1 weapons per soldier is a mean figure based on an unofficial estimate of 1.8 to 2.4 weapons per soldier for most armies, received from the Joint Arms Control Implementation Group (JACIG) of the UK armed forces.

¹⁵ UNMIK Regulation 2001/7.

¹⁶ Official WAS data received from Giulio Torresi, 22 June 2006.



2.2.2.7 Customs Service

Although unarmed at the time of writing, the Customs Service will have 76 weapons-trained officers by the autumn of 2006, as a result of a perception that staff within the Service are often subject to threats.¹⁷ However, it is expected that no more than 10 officers, working in mobile anti-smuggling units, will be armed on any given day. Other trained officers will only be equipped with weapons for special operations. The exact number and type of weapons that the Customs Service will procure has yet to be determined.

2.2.2.8 Forestry Service

At the time of writing, the Forestry Service had plans to arm 200 of its forest guards with low-calibre weapons.¹⁸ There does however appear to be confusion as to whom exactly the authorisation to carry weapons applies. Whilst the UNMIK Office of the Legal Advisor stressed that the amendment concerns only a limited number of forest guards working for the Service and thus does not extend to Forest Service staff in general,¹⁹ the Forestry Service's Chief Executive suggested that they also plan to provide firearms to their engineers, inspectors and technicians, citing the danger facing such staff as the reason for this move.²⁰

2.3 Illicit SALW

As well as exploring the number of illicit SALW in circulation in Kosovo, this Survey examines the different types of SALW owners. An understanding of the latter is arguably more valuable as the different types of SALW owners present different degrees of threat to safety and security in Kosovo.

2.3.1 Number of unregistered firearms in circulation

A feature common to most SALW Surveys undertaken in the region to date has been the difficulty in arriving at a reliable estimate of illicit SALW holdings.²¹ This task is arguably more difficult in Kosovo due to the absence of a baseline figure (such as the number of SALW looted or the size of reservist stocks) that might be used to generate estimates. Therefore, the estimate suggested below is based on information collected through KIIs conducted in 2006 together with official data on SALW Collections and seizures. These data sources suggest that the real level of SALW ownership amongst civilians is substantially higher, in fact many times higher, than the number of registered civilian SALW.

2.3.1.1 Household survey estimates

While the HHS contributed much to an understanding of SALW and security issues throughout Kosovo, it did not provide a reliable basis for estimating levels of illegal SALW possession. While under-reporting of SALW ownership is a common feature of such research methods, Kosovo's recent conflict and its unresolved status have meant that respondents treated SALW-related questions with extreme caution, and sometimes with suspicion. As a result, HHS-based estimates do not correspond with informed estimates offered by KIIs and bear no relation to official crime figures and seizure rates. A number of reasons were provided by respondents for their unwillingness to answer SALW-related questions, including negative experiences of the past, an unwillingness to answer 'provocative' questions, suspicion that the questions were linked with a planned seizure operation, and a reluctance to 'betray' their neighbours.

¹⁷ Correspondence, Malcolm Brown, Director of Law Enforcement, UNMIK Customs, 09 May 2006.

¹⁸ Interview, Muzafer Luma, Chief Executive, Kosovo Forestry Agency, 21 April 2006.

¹⁹ The wording of the legislation is unambiguous here: 'Weapons (semi-automatic pistols) to be used by personally identified officers of the UNMIK Customs Service and Forest Guards of the Forest Service which shall be assigned to them by the designated management officials concerned under the authority of, and within the terms and conditions prescribed by, the UNMIK Police Commissioner'; *op. cit.*, UNMIK Regulation 2006/35.

²⁰ Interview, Muzafer Luma, 21 April 2006.

²¹ See for example, *op. cit.*, Rynn, S. *et al.*, p. 46; and *op. cit.*, Taylor, Z. *et al.*, p. 12.

2.3.1.2 Key Informant Interview estimates

Both Kosovo-Albanian and Kosovo-Serb KIs regularly reported that either ‘each household in Kosovo has a weapon’ or that ‘there are two weapons for every household in Kosovo.’ For comparative purposes, in other SALW Surveys undertaken in South Eastern Europe (SEE), the response ‘every household has a weapon’ was usually given as the maximum assessment of SALW possession. The lower assessment of one weapon per household in Kosovo yields an estimate of around 357,100 weapons and if one subtracts the total number of registered civilian weapons and KPS handguns from this number, this produces a rough approximation of 317,000 unregistered firearms currently in circulation throughout Kosovo.²² This estimate falls within the lower end of the 310,000 to 440,000 estimate of illicit SALW reached by the authors of the 2003 study ‘Kosovo and the Gun: A Baseline Assessment of SALW in Kosovo.’²³

2.3.2 SALW collected by official agencies

Since the end of the 1999 conflict, SALW have been removed from Kosovan society by KFOR and the police through a combination of seizures and collections. To date, amnesty periods were held in 2001, 2002 and 2003, during which illicit SALW could be voluntarily surrendered to KFOR and the police. As Table 10 shows, the results of the amnesty and collection campaigns are poor in comparison to the estimated number of unregistered weapons in Kosovo. The 2003 collection campaign, organised jointly by UNDP, UNMIK and KFOR, stands out as a particular failure in this regard.²⁴ However, it should also be noted that even the figure of 9,978 weapons collected by KFOR under the June 1999 demilitarisation agreement with the KLA is believed to represent a small proportion of the organisation’s arsenal.²⁵

PERIOD	WEAPONS	ROUNDS OF AMMUNITION
21 June - 19 September 1999	9,978	5,000,000
01 May - 03 June 2001	777	Approx 31,000
15 March - 15 April 2002	496 ²⁶	59,200
01 - 30 September 2003	155	-
TOTAL	11,406	5,090,200

Table 10: Results of individual SALW Collection campaigns ²⁷

2.3.3 SALW seized by official agencies

The total yields of seizure operations by official agencies in Kosovo are much higher than the yields of the voluntary collection initiatives. According to official UNMIK records, the police in Kosovo seized a total of 4,026

²² The assessment ‘one weapon for each household’ does not necessarily imply that every household in Kosovo possesses a weapon. Rather, it is an estimate of the number of SALW in circulation in Kosovo in proportion to its population. Whilst there will be households with no weapon, others may own more than one, and even larger quantities will be owned by criminal or extremist groups.

²³ *Op. cit.*, Khakee, A. and Florquin, N. There may be a number of reasons for this discrepancy, including: the likely net outflow of SALW from Kosovo since 2003 (see Sections 2.3.6 and 2.3.7); continued seizures of SALW by KFOR and the police (see Section 2.3.3); and the variations and error margins associated with the different techniques used by the two research teams when calculating illicit possession.

²⁴ On 20 June 1999 the KFOR and the KLA commanders signed an ‘Undertaking of Demilitarisation and Transformation by the UCK’ committing the KLA to surrender all weapons other than pistols and hunting weapons within 90 days. In addition to 9,000 ‘small arms’, 800 machine guns and 178 mortars, 300 anti-tank mines 27,000 hand grenades, 1,200 ‘mines’, 1,000 kg of explosives and 5m rounds of ammunition were reportedly surrendered. See: Ripley, T. ‘The UCK’s Arsenal’, *Jane’s Intelligence Review*, November 2000.

²⁵ Correspondence, Adrian Wilkinson, Head, SEESAC, 26 July 2006.

²⁶ Data reproduced in *op. cit.*, Khakee, A. and Florquin, N., shows a total of 1,391 SALW collected during the 2002 amnesty period. Of the total, 895 were ‘miscellaneous items’ which include uniforms and masks. Thus, the number of ‘miscellaneous items’ has been subtracted from the total. The number appearing in this Table covers the rifles, pistols, machine guns, mortars, anti-tank weapon systems, missiles, grenades and mines collected during the amnesty. The number for 2001 includes all of the above as well as 75 ‘uncategorised support weapons’.

²⁷ Data for 2001 and 2002 obtained from *op. cit.*, Khakee, A. and Florquin, N., p. 22. Data for 2003 from SEESAC, *Clearing Guns*, October 2003.



weapons in 2004 and 2005,²⁸ suggesting an average seizure rate of 167 weapons per month. Table 11 shows the actual weapons seizures for each month of 2004 and 2005. The figures include 436 bladed weapons that were not disaggregated from this data.

MONTH	2004	2005	TOTAL
January	218	206	424
February	111	143	254
March	189	128	317
April	145	240	385
May	207	227	434
June	145	187	332
July	170	224	394
August	182	241	423
September	159	214	373
October	181	184	365
November	207	175	382
December	179	200	379
TOTAL	2,093	2,369	4,462

Table 11: Police weapons seizures, UNMIK Police, 2004 – 2005

Total police weapons seizures increased by 13% in 2005 in comparison to 2004, with SALW seizures rising by almost 12%. However, UNMIK data does not record a corresponding increase in SALW-related crime in this period (see Section 3.2.1), and the increase is probably therefore due to improved data collection and record keeping. It is possible that it could also indicate increased police capacity in the detection and interception of unregistered SALW.

Despite requests, data from KFOR on SALW seizures was not made available, so it is difficult to establish a detailed picture of the overall number of SALW removed from society since the end of the conflict. Since the start of its mandate in Kosovo, KFOR has been involved in regular SALW seizure operations, including random house searches and at vehicle checkpoints. During the past three years, KFOR has been routinely informing UNMIK Police and the KPS of its SALW seizures, or has carried out operations in cooperation with these forces.²⁹ However, the research team were unable to clarify to their satisfaction whether the above UNMIK Police data incorporates items seized by KFOR.

Discoveries of large-scale SALW caches are much less frequent now seven years after the end of the conflict than in the immediate post-conflict period, a fact that is attributable partly to changing KFOR manpower and tasking, and partly to the clearance of more accessible hides. However, the relatively high day-to-day seizure rates recorded by official agencies indicate the continued presence of large quantities of unregistered weapons in Kosovo. SALW were being seized at a rate of 5.4 per day during the period 01 January to 20 April 2006. During this period, security agencies in Kosovo seized a total of 591 SALW in



Greek KFOR soldiers disassemble collected firearms

²⁸ Official UNMIK Police data, received from Jan Shuerman, Chief of Staff, UNMIK Police, 10 March 2006.

²⁹ Correspondence, Shane Tench, Regional Investigations Liaison Officer, Mitrovicë/Mitrovica RHQ, UNMIK Police.

320 separate incidents, with seizures solely composed of ammunition occurring a further 18 times. According to UNMIK data, of the total number of SALW seized, 570 were firearms.

2.3.3.1 Geographic distribution of SALW seizures

UNMIK Police records show that during 2004 and 2005, the greatest number of SALW were seized in the Pejë/Peć region (1,509), followed by the Prishtinë/Priština region (1,181). According to the data, Pejë/Peć and Prishtinë/Priština regions together account for more than half of all SALW seized in Kosovo during 2004 and 2005. Most notable here has been the sharp increase in the number of SALW seized in Prishtinë/Priština, though the number of SALW seized there remains lower than in Pejë/Peć. This data also showed Mitrovicë/Mitrovica to be the region with the lowest SALW seizure rate. It can be argued that this is at least in part due to a comparatively low police presence in that area.

REGION	2004	2005	TOTAL
Border Police	8	25	33
Gjilan / Gnjilane	359	303	662
Mitrovicë / Mitrovica	210	250	460
Pejë / Peć	746	763	1,509
Prishtinë / Priština	453	728	1,181
Prizren	317	300	617
TOTAL	2,093	2,369	4,462

Table 12: Seized SALW by region, UNMIK Police, 2004 - 2005

Similar patterns are discernible in UNMIK records for the first four months of 2006. These show that, during this period, a notably larger number of SALW were seized in the south-west region of Kosovo than anywhere else, an area that includes the towns of Pejë/Peć and Podujevë/Podujevo. The Prishtinë/Priština region was a remote second, with substantially fewer firearms confiscated in the Mitrovicë/Mitrovica and Gjilan/Gnjilane regions.

2.3.4 Types of illicit SALW seized

The most recent data regarding the number of seized or collected SALW was obtained from UNMIK Police, covering the years 2004 and 2005. The data includes both SALW that were seized because they were unregistered, and those that were seized because they were used in the commission of a criminal offence. The breakdown of the items seized by type, presented in Figure 2 below, can therefore be used to indicate the types of illicit SALW in circulation in Kosovo. However, the breakdown is weighed in two main respects. Firstly, the category 'other' is an aggregate of items such as ammunition and explosives. Secondly, the types of weapons seized during law enforcement operations obviously differ to an extent from the wider pool of unregistered weapons in society. For example, pistols are probably over-represented in these figures, while unregistered hunting rifles are likely to constitute a much larger proportion of illegally held weapons than suggested by this data.

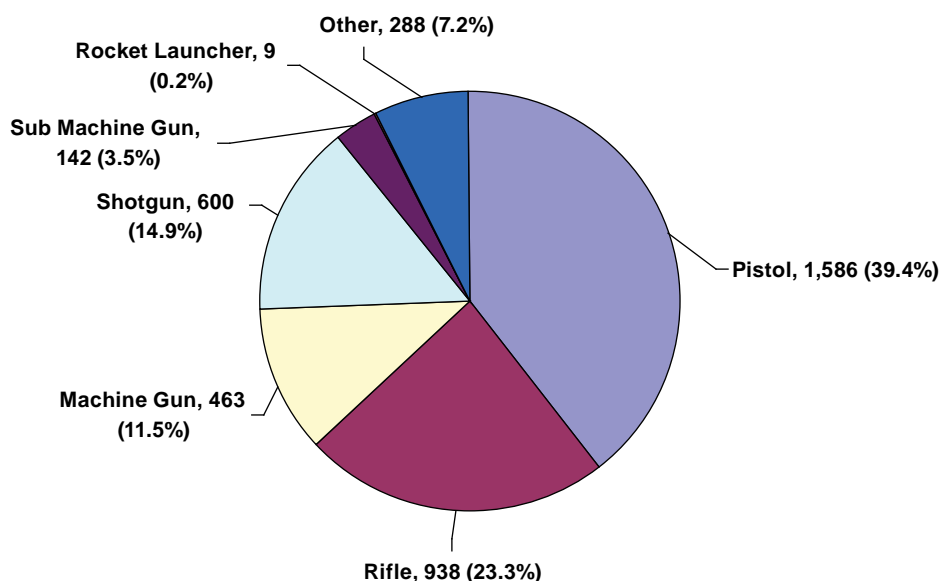


Figure 2: Type of SALW seized by the police in 2004 and 2005³⁰

Pistols, rifles and shotguns accounted for 76% of all SALW seized by police in 2005, and 79.5% of all SALW seized by the police in 2004. Pistols alone accounted for 39.4% of all SALW seized in 2004 and 2005 combined, with rifles accounting for a further 23.3%. However, the only categories of seized SALW for which there is a decrease between 2004 and 2005 are 'rifles' and 'rocket launchers'; all other categories reporting increased seizures, with the number of machine guns seized increasing substantially from 193 in 2004 to 270 in 2005.

SALW TYPE	2004	PROPORTION OF ALL 2004 SALW SEIZURES	2005	PROPORTION OF ALL 2005 SALW SEIZURES	TOTAL FOR 2004 AND 2005	PROPORTION OF ALL 2004 AND 2005 SALW SEIZURES
Machine Gun	193	10.2%	270	12.7%	463	11.5%
Pistol	703	37%	883	41.6%	1,586	39.4%
Rifle	517	27.2%	421	19.8%	938	23.3%
Rocket Launcher	5	0.3%	4	0.2%	9	0.2%
Shotgun	290	15.3%	310	14.6%	600	14.9%
Sub-Machine Gun	66	3.5%	76	3.6%	142	3.5%
Other	127	6.7%	161	7.6%	288	7.2%
TOTAL	1,901	-	2,125	-	4,026	-

Table 13: Weapons seized by the police during 2004 - 2005, by type

2.3.5 Demand for illegal SALW and their use

Although it was widely acknowledged in KII that a large number of unregistered weapons remain in circulation in Kosovo, demand for SALW by groups involved in armed combat has waned since the end of the conflict. However, demand for firearms in Kosovo has not completely disappeared. Three of the main factors that drive demand for illicit SALW are presented below, although they should not be considered the only sources of demand for illegal SALW. Tradition has been omitted from this list as this reason is usually given for justifying possession, rather than stimulating demand for illegal SALW.

³⁰ Official UNMIK Police data, Jan Schuermann, 10 March 2006. It is unclear whether the data only covers seizures by UNMIK Police or whether it also includes seizures by the KPS.

- **Lack of legal channels for acquiring a firearm:** in the current legal environment, it is not possible for an individual to obtain a firearm legally. Individuals who wish to obtain a hunting or recreational rifle are forced to use the illicit market, due to the fact that there are no licensed SALW vendors in Kosovo.
- **To provide security and protection for oneself and one's family and property:** another important factor fuelling the demand and continued possession of illegal firearms amongst individuals is the lack of faith that citizens place in Kosovo's security providers to protect them from crime and attacks against their person and property. HHS findings suggest that this is the main reason for SALW possession in Kosovo (see Section 4.5).
- **To pursue criminal activities:** this is a reason for which not only individuals but also groups may seek to acquire illegal SALW. It is believed that the SALW sought for criminal purposes tend to be of a higher specification than in the other two options presented here, with handguns being the preferred option. The data on SALW seizures in Kosovo and criminal preferences for handguns in Albania and Serbia would also support this assertion.

These demand drivers pose widely different law enforcement challenges, and present different degrees of threat to security and safety in Kosovo. At the one end of the spectrum is the demand for illicit hunting weapons, which is largely determined by the existing legal framework and an absence of alternative channels for obtaining such weapons. Demand for these weapons may be expected to decrease when conditions change. At the other end is demand for the higher-specification SALW by criminal groups. The control of the SALW possessed by these groups requires sophisticated investigation and law enforcement techniques.

2.3.6 Sources of illegal SALW

2.3.6.1 Ex-Yugoslav SALW holdings

Under the terms of the 'Military-Technical Agreement' (MTA)³¹ between NATO and the Federal Republic of Yugoslavia (FRY), the Serbian Ministry of Internal Affairs (MUP) was required to withdraw its personnel, along with FRY's other security forces, from Kosovo. Despite the official withdrawal of its forces on 12 June 1999, the MUP has maintained a parallel policing structure in Kosovo's northern municipalities. Whether or not they remain employed by the MUP, many of the former police officers have retained their firearms, despite the fact that they are now illicit SALW within the new legal framework of Kosovo.³² It is also likely that former Yugoslav National Army (JNA) soldiers possess SALW that were previously owned by the Yugoslav army. SALW from JNA stores and soldiers who retreated from Kosovo in 1999 have almost certainly increased the number of illegal SALW in Kosovo. This has been confirmed by a number of KILs in Kosovo's northern municipalities,³³ although no official register or estimate of these ex-Yugoslav MUP and JNA SALW is available. Furthermore, the 2003 Small Arms Survey report 'Kosovo and the Gun' estimated that between 9,900 and 13,800 SALW had been covertly supplied to Kosovo-Serb civilians and paramilitary groups in the 1990s.³⁴ While it is highly likely that most of these SALW left the area with the fleeing Kosovo-Serbs, or were confiscated by KFOR, they too will have added to the pool of illegal SALW in Kosovo.

2.3.6.2 SALW looted from stocks in Albania

Many of the SALW looted from military depots in Albania in 1997 made their way to a range of different recipients in Kosovo. Apart from groups such as the Kosovo Liberation Army (KLA) (see below), these SALW also reached Kosovan refugees who obtained them during their displacement in Albania in 1998 and 1999. According to a 2006 report on SALW and security in Albania, an estimated 39,000 SALW were brought into Kosovo by refugees returning from Albania,³⁵ and although this estimate should be viewed with a low degree of reliability, it is a known

³¹ Available at: <http://www.nato.int/kosovo/docu/a990609a.htm>, accessed 26 June 2006.

³² Interviews, unofficial MUP representatives, North Mitrovica, March 2006.

³³ KIL, North Mitrovica, 13 March 2006.

³⁴ *Op. cit.*, Khakee, A. and Florquin, N., p. 15.

³⁵ It is estimated that approximately 450,000 refugees from Kosovo entered Albania, and according to estimates obtained by the 2005 SALW Survey of Albania, about 70% of the family groups (counting eight people on average) would have taken a weapon with them when returning from Albania. This would suggest a rough estimate of around 39,000 SALW brought back from Albania by civilians. Holtom, P. *et al.*, *Turning the Page: Small Arms and Light Weapons in Albania* (CPDE/Saferworld, 2005), p. 41.



fact that refugees did bring arms back into Kosovo after the conflict, and this should therefore be considered as an important source of illicit SALW. It should be noted that the SALW originating from looted Albanian stocks are mostly low-cost Chinese designed, but Albanian manufactured, assault rifles.

2.3.6.3 Former ethnic-Albanian armed group holdings

It is now widely known that the KLA was armed from a variety of sources based in Albania, Bulgaria, Croatia, the Czech Republic, Hungary, Romania, Serbia and some NATO countries.³⁶ It has been argued that at their peak, the KLA's holdings would have been more or less sufficient to arm approximately 20,000 combatants, although it is unclear whether this estimate includes the 600 to 4,000 fighters of the Armed Forces of the Republic of Kosovo (FARK), many of who fought under KLA insignia. The estimate of 32,000 to 40,000 weapons calculated by the Small Arms Survey in 2003 may be too high, given that the estimated combined peak holdings of the KLA, National Liberation Army (NLA) in the Former Yugoslav Republic of Macedonia (hereafter Macedonia) and Liberation Army of Preshevo, Medvegje and Bujanovac (UCPMB) in Southern Serbia would have been only 63,520 at the most.³⁷ However, current levels of former KLA stocks in Kosovo are likely to have become depleted as a result of the following factors:

- **Voluntary surrender and confiscation in 1999:** in accordance with its agreement with KFOR, the KLA voluntarily surrendered 8,500 weapons and six million rounds of ammunition within 90 days of the cessation of fighting. Following the end of this 90-day period, KFOR also seized around 1,400 SALW.³⁸
- **Supplies to other ethnic-Albanian insurgent groups in South Serbia and Macedonia:** the 2003 study undertaken by the Small Arms Survey estimated that between 11,800 and 15,800 of weapons formerly held by the KLA were in the hands of other Albanian insurgent groups in the region, which constitutes between about thirty and forty percent of their estimate of the total KLA holdings in 1999.³⁹
- **Relocation to caches in Northern Albania:** following the end of the 1999 conflict in Kosovo, and the establishment of an international presence, it is thought that a proportion of the illicit SALW held in Kosovo at that time were then moved over the border into Northern Albania where difficult terrain and a weaker law enforcement capacity create more favourable conditions for establishing and concealing illegal caches.
- **Seizures:** though it is highly likely that a proportion of the SALW confiscated by KFOR and the police through the ongoing seizure operations in Kosovo came from former KLA stocks, it is impossible to establish what proportion.

Therefore, if the Small Arms Survey's highest estimate for KLA total holdings is subtracted from this figure, the weapons surrendered or confiscated (9,900) and the lowest estimate for former KLA weapons in the hands of Albanian insurgent groups (11,800), it is possible to estimate that around 20,000 former-KLA weapons are stored in caches in Northern Albania or illegally held in Kosovo.

2.3.6.4 World War II weaponry

A proportion of the SALW owned by households are very old, some dating back to World War II. As these are largely unserviceable and unreliable today, the families that keep them usually do so purely for reasons of tradition.

2.3.6.5 Illegal SALW production

Seizure reports indicate that local, illegal SALW production is present in Kosovo, though only on a small scale. According to UNMIK records, home-made firearms accounted for only 3% of the 527 firearms seized between 01 January and 20 April 2006. These items appear to be produced primarily for personal use.

³⁶ Heinemann-Grüder, A. and Paes, W-C., *BICC Brief 20: Wag the Dog: The Mobilization and Demobilization of the Kosovo Liberation Army* (BICC, Bonn, 2001), p.13.

³⁷ *Op. cit.*, Holtom, P. et al., p. 41.

³⁸ *Op. cit.*, Khakee, A. and Florquin, N., p.14.

³⁹ *Ibid.*

2.3.6.6 SALW trafficked into Kosovo

Media analysis and KIs suggest that SALW are being trafficked into Kosovo on a much smaller scale compared with the period immediately following the conflict. These sources indicate several basic trends. The fact that a number of seized SALW have been manufactured outside the immediate region suggests that demand for high-specification SALW has not been exhausted in Kosovo. As noted above, criminal groups are thought to be the main source of demand for these SALW. Further, evidence suggests that weapons specifically adapted to maximise existing ammunition sources are also brought into Kosovo: for instance, MP5 sub-machine guns, possibly of Turkish origin, that have been adapted to use 7.62 mm calibre ammunition have been found in Kosovo.⁴⁰ Although the situation is believed to be improving, media reports in recent years highlight some continuing seizures at the border between Kosovo and Albania. For example, in November 2005, Italian KFOR were reported to have seized an unspecified large quantity of medium-calibre weapons, machine guns and mortars as well as thousands of units of Model 56 cartridges, along with large quantities of marijuana, in the area of Pejë/Peć, near the Albanian border.⁴¹ Sources in the Albanian police in the border area of Kukës, quoted in the article, linked the emergence of the armed group 'Army for the Independence of Kosova' (UPK) in October 2004, to increased trafficking of weapons and ammunition along the border between Albania and Kosovo.⁴² In September 2004, the media reported that UNMIK Customs had seized 4,900 rounds of ammunition of 7.62mm calibre in a vehicle moving into Kosovo from Albania.⁴³ However, Albanian Ministry of Public Order officials interviewed for the 2005 SALW Survey of Albania claimed to have seen far fewer reports of SALW trafficking along this border since 2003.⁴⁴ It is thought that the number of SALW trafficked into Kosovo in the post-1999 period is outweighed by the number of SALW removed (see Section 2.3.3).



Ammunition seized at Pristina International Airport

2.3.7 Trafficking and SALW seizures at border crossings

UNMIK Customs provided the research team with records of SALW intercepted at border crossings in Kosovo for the period January 2002-January 2006. During this time, the frequency of seizures by the Customs Service was low, with the high point occurring in 2002 when six discoveries were made, yielding 141 weapons and 10,111 rounds of ammunition. While the quantity of SALW seized has been generally low, some seizures are worth highlighting. For example, laser lamps and rifle scopes were discovered in 2005, with nine of the thirteen seizures carried out at land border crossing points. However, these records do not appear to include all SALW seizures made by the Customs Service. For example, the seizure of ammunition referred to in the media report quoted above does not feature in these records.

⁴⁰ Interview, international official, Prishtinë/Priština, 14 March 2006.

⁴¹ Shekuli, 'Daily reports on drug, weapons seizure on Kosovo-Albania border', 17 November 2005. Available at: <http://www.nisat.org/default.asp?page=/search.asp>, accessed 16 May 2006.

⁴² *Ibid.* See also 'KFOR investigating existence of armed groups,' 17 October 2005, SEESAC Daily SALW Media Monitoring Report. Available at: http://www.seesac.org/press/wms_23102005.htm - KFOR%20Investigating%20Existence%20of%20 accessed 10 April 2005.

⁴³ 'UN Customs seize ammo at Kosovo-Albania border,' 3 September 2004, SEESAC Daily SALW Media Monitoring Report. Available at: <http://www.nisat.org/default.asp?page=/search.asp> accessed 29 June 2006.

⁴⁴ *Op. cit.*, Holtom, P. et al., p. 40.



YEAR	AMMUNITION (ROUNDS)	FIREARMS	OTHER	NUMBER OF INCIDENTS	TYPE OF CROSSING
2002	10,111	141 (140 were Shotguns)		6	Land (all)
2003	-	2 Rifles		1	Air
2004	Unspecified	Unspecified		2	Land (all)
2005	1,138	1 Pistol	63 Lasers 95 Rifle Scopes	3	Air (2) Land (1)
January 2006	750		3 Air Gun Sights	1	Air

Table 14: SALW interceptions at Kosovo border crossings, Customs Service, January 2000 - January 2006

(Source: Customs Service Data)

Improved border control and law enforcement, together with often difficult transport links, make it unlikely that SALW have been transited through Kosovo in large numbers in recent years. Rather, it has been argued that the preferred trafficking routes for SALW within SEE lead through Albania, Montenegro and Bosnia-Herzegovina instead.⁴⁵ As noted above, SALW from the KLA's arsenal were moved from Kosovo to ethnic Albanian insurgent groups operating in Macedonia, Montenegro and southern Serbia in the period 1999 - 2003, while pan-Serb militia groups most probably also moved SALW into and out of Kosovo during this period.⁴⁶ Some SALW from Kosovo were also returned to northern Albania in this period due to a belief that storage conditions were safer there (see Section 2.3.6.3). However, apart from this SALW trafficking in the immediate region after the end of the conflict, there is no evidence suggesting that large numbers of SALW are moved through Kosovo at the present. This is confirmed by the research undertaken for the earlier study of SALW in Kosovo, which concluded that *'gun smuggling is not a major activity on the Kosovo borders, compared both with other types of smuggling and with gun smuggling in the region generally'*.⁴⁷

2.4 Legal SALW production and transfers

2.4.1 SALW production

Kosovo has never had a significant SALW manufacturing industry and does not currently have any officially-sanctioned SALW-production facilities.

2.4.2 International SALW transfers

2.4.2.1 Exports, transit and transshipment of SALW

There are no known legal exports of SALW from Kosovo. Similarly, the research team were presented with no evidence of any transit or transshipment of SALW through Kosovo at this time.

2.4.2.2 Import of SALW for the civilian market

UNMIK Regulation 2005/41 prohibits the importation into Kosovo of SALW, their parts or accessories (as defined by UNMIK Regulation 2001/7) unless explicitly authorised by UNMIK or KFOR. This regulation amends the original 1999 UNMIK regulation on the establishment of the Customs Service. There have been no legal imports of SALW for the civilian market since the establishment of UNMIK.

2.4.2.3 Import of SALW for security agencies

Although firearms have been imported in the past for use by Kosovo's security agencies, notably Glock pistols for KPS, the legal framework for regulating such imports is not clearly defined (see Section 5.10.1).

⁴⁵ Interview, international official, Prishtinë/Priština, 14 March 2006.

⁴⁶ Barnett, N., 'KFOR tracks evolution of Albanian radicals', *Jane's Intelligence Review*, 01 May 2001; *Op. cit.*, Khakee, A. and Florquin, N., pp. 14-15.

⁴⁷ *Op. cit.*, Khakee, A. and Florquin, N., p. 27.

3 Small Arms Impact Survey

This Section examines the direct and indirect impacts of SALW on Kosovo's society, paying particular attention to their impact on public health and levels of crime. It also looks at indirect impacts of SALW, e.g. on the rule of law and inter-ethnic relations.

3.1 Data sources for firearm-related injuries and fatalities

The research team used a wide variety of sources to collect data on the impact of SALW in Kosovo. Researchers were given access to official records held by the University Clinical Centre of Kosova (hereafter the Pristina University Hospital), KPS and UNMIK, in addition to information provided by a number of officials interviewed from these agencies, the Ministry of Health (MOH) and legal professionals. A comprehensive review of Kosovo's print media for 2005 has also helped to augment these sources of information on the impacts of SALW. HHS and focus groups also provided insights on areas not currently covered in detail by institutional data-sets.

The scope of the analysis has been limited by the quality and reliability of available data. The research team sought data on the impact of SALW on public health from the MOH and individual hospitals. The MOH information unit was unable to provide any statistical information on the number of firearm-related injuries treated by health institutions around Kosovo. Although the MOH has a computerised database for the collection of medical statistics from Kosovo's 56 primary, secondary and tertiary health institutions, the system is at present not fully operational.⁴⁸ The research team was however able to obtain statistical records for firearm-related injuries and fatalities from the Pristina University Hospital. Although firearm-related injuries can be treated in any of the 56 health institutions in Kosovo, Pristina University Hospital is the main referral destination for such injuries. Whilst the records from this Hospital are useful as an indication of the nature and number of injuries in the Prishtinë/Priština region, it is not possible to extrapolate for the whole of Kosovo. Further, the Pristina University Hospital records of firearm fatalities do not include figures for those who died from firearm-related injuries before the arrival of emergency services or arrival at the hospital. This information gap could have been addressed by data recorded by the police or morgue officials, although despite requests to both, the research team was unable to obtain relevant information.

The need to construct a comprehensive picture of the impact of SALW on all sections of Kosovan society has also been challenged by the fact that the research team has not always been able to access data for every ethnic group in Kosovo, with data on firearm-related injuries and fatalities sustained by Kosovo-Serbs proving particularly problematic to obtain. In general, Kosovo-Serbs seek treatment either in the Mitrovica North Hospital or in the Gračanica medical centre. Though statistics were repeatedly sought from Mitrovica North Hospital, the research team did not obtain them by the time this report was published.

Data on SALW-related crime in Kosovo was sought from the KPS, UNMIK Police and the courts. No data on SALW-related crime was available from any of the courts in Kosovo, with the partial exception of the Gjiilan/Gnjilane District Court, which was able to provide information on the number of some firearm-related offences prosecuted there. Different and seemingly conflicting data-sets were received from the KPS and UNMIK Police. UNMIK Police and KPS data at times indicated very different patterns, with a notable example being the level of recorded suicides. Further, the official crime data received from UNMIK did not correspond to official UNMIK data quoted in some other recent reports (see Section 3.2.1). Officials responsible for data collection and analysis urged caution with the use of the crime data collected in Kosovo, as record-keeping procedures, especially in the past, have not been very rigorous.⁴⁹ This fact needs to be borne in mind with regard to all data used in this Section.

Despite these difficulties, the research team strove to present as comprehensive a picture of the impact of SALW on Kosovo's society as possible, and data has been corroborated from other sources when available. As a result, it is believed that the general trends identified below present a reliable assessment of the situation in Kosovo.

⁴⁸ Interview, Dr Xhevat Ukaj, Chief of Health Information System, Ministry of Health, 31 March 2006.

⁴⁹ For example, correspondence, Paul Jordan, Head of UNMIK Crime Analysis, 17 May 2006.



3.1.1 Non-fatal injuries

According to the records obtained, Pristina University Hospital treated 136 non-fatal firearm-related injuries during 2005. The chart below presents the data for this and previous years:⁵⁰

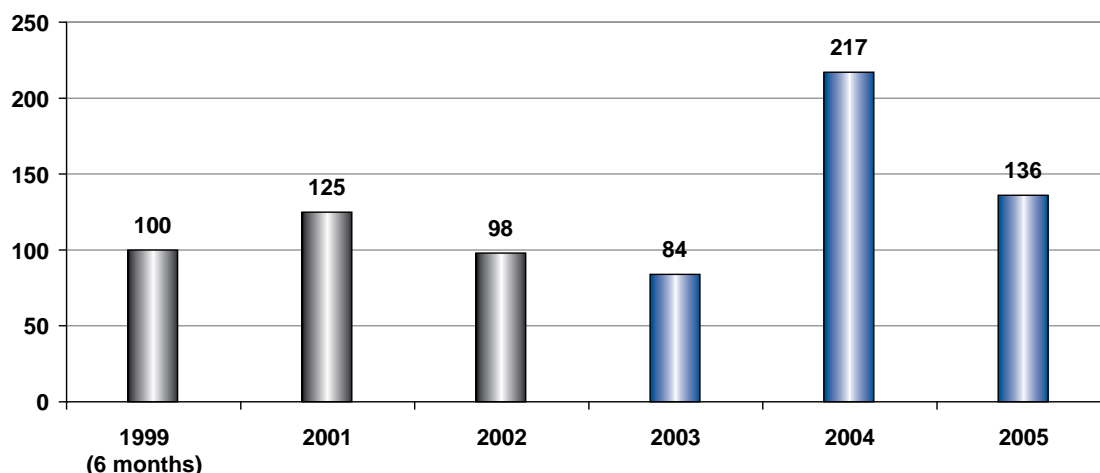


Figure 3: Firearm-related injuries treated by Pristina University Hospital, June 1999 - December 2005

The data for 1999 - 2002 is included here to illustrate the situation prior to 2003, where more reliable records began. The figures for the years 1999, 2001 and 2002 refer only to the number of 'hospital visits due to firearms'.⁵¹ In other words, the records for these years do not distinguish between fatal and non-fatal firearm-related injuries.⁵² As such, conclusions should not be made on the basis of comparisons of these figures with those for 2003 - 2005, which do distinguish between the two categories.

It is clear that the dramatic increase of firearm-related injuries in 2004 is linked to the violent riots and ensuing tensions that occurred in that year. However, while the number of firearm-related injuries treated by Pristina University Hospital significantly dropped in 2005, the average of 11.3 injuries per month is higher than the average of seven injuries per month in 2003. It is also higher than the combined number of firearm-related injuries and fatalities recorded in 2001.⁵³ More data is required to ascertain whether this observed increase in firearm-related injuries in 2005 when compared to 2003 is part of a long-term trend or not.

Firearm-related injuries are reported at a similar rate of between 11 and 13 a month in UNMIK official records for the period 01 January - 20 April 2006. Of the 48 firearm injuries reported in this period, 11 were self-inflicted, with the remaining 37 having been inflicted by another person.

In 2003 and 2005, unsurprisingly, around a quarter (24%) of those admitted to Pristina University Hospital with firearm-related injuries came from Prishtinë/Priština municipality.⁵⁴ During the violence of 2004, Prishtinë/Priština municipality accounted for around a third (32.7%) of those admitted to the Hospital with firearm-related injuries. In 2003 and 2005, the second highest proportion of patients came from Podujevë/Podujevo,⁵⁵ with the number of firearm-related injuries coming from there steadily rising in the period 2003-2005. Mitrovicë/

⁵⁰ Data for the years 2003 - 2005 was received from Dr Fadil Beka, Executive Director, Pristina University Hospital, 07 April 2006. Data for the years 1999, 2001, 2002 quoted in op. cit., Khakee, A. and Florquin, N. Data for 2000 is not available. The records for 1999, 2001 and 2002 provided by Dr Beka do not distinguish between fatal and non-fatal injuries. Data for 2003 - 2005 in the graph is for non-fatal injuries only.

⁵¹ Op. cit., Khakee, A., and Florquin, N.

⁵² Op. cit., interview, Dr Fadil Beka.

⁵³ This could, however, be a result of poor record-keeping in 2001.

⁵⁴ Prishtinë/Priština accounts for approximately a third of the total population of Kosovo, i.e. 700,000 inhabitants out of a total of around two million. In 2003, 23.5% of patients came from Prishtinë/Priština municipality and in 2005, 24.2%.

⁵⁵ In 2003, 9.4% of patients came from Podujevë/Podujevo. In 2005, they accounted for 14.7% of patients.

Mitrovica accounted for the second highest number of firearm-related injury patients in 2004, with 13.8%. Pristina University Hospital also treated over 20 people for firearm-related injuries during the period 2003 - 2005 from Ferizaj/Uroševac, Lipjan/Lipljan and Vushtrri/Vucitrn. In these cases, as for the total sample, 2004 represented the peak.

MUNICIPALITY	2003	2004	2005	TOTAL
Prizren/Prizren	4	2	4	10
Suharekë/Suva Reka	0	1	1	2
Dragash/Dragaš	0	1	1	2
Rahovec/Orahovac	0	0	3	3
Malishevë/Mališevo	2	3	5	10
Gjakovë/Đakovica	0	10	3	13
Deçan/Decane	2	1	2	5
Pejë/Peć	8	2	3	13
Klinë/Klina	0	0	3	3
Istog/Istok	0	1	1	2
Skenderaj/Srbica	4	6	8	18
Mitrovicë/Mitrovica	6	30	4	40
Vushtrri/Vucitrn	6	10	7	23
Zubin Potok/Zubin Potok	0	0	0	0
Leposaviq/Leposavić	0	0	0	0
Podujevë/Podujevo	8	14	20	42
Prishtinë/Priština	20	71	33	124
Fushë Kosovë/Kosovo Polje	5	9	4	18
Glllogoc/Glogovac	4	7	4	15
Lipjan/Lipljan	1	12	9	22
Shtime/Štimlje	1	2	5	8
Shtërpçë/Štrpce	0	2	0	2
Ferizaj/Uroševac	8	12	5	25
Kaçanik/Kacanik	0	5	1	6
Gjilan/Gnjilane	2	3	4	9
Viti/Vitina	0	2	3	5
Kamenicë/Kamenica	0	1	1	2
Obiliq/Obilić	1	5	0	6
Other	2	5	2	9
TOTAL	84	217	136	437

Table 15: Firearm-related injuries by patient's municipality of residence, Pristina University Hospital, 2003 - 2005 ⁵⁶

As part of the HHS undertaken for this report in March 2006, respondents were asked to assess the level of firearm-related injuries in their community. Just under a quarter of all respondents (24.5%) thought there were either 'a few' or 'many' incidents in which people were injured by firearms in their community. A slightly higher percentage of male respondents (7.5%) than female respondents (2.7%) thought that there were 'many incidents.' Almost two thirds of male respondents, and three-quarters of female respondents, stated that there were 'no incidents' in their community in which people were injured by firearms.

⁵⁶ Pristina University Hospital data, received from Dr Fadil Beka, 07 April 2006.



RESPONSE	MALE	FEMALE	TOTAL
No, no incidents	65.3%	72.5%	66.8%
Yes, a few incidents	18.2%	17.2%	18%
Yes, many incidents	7.5%	2.7%	6.5%
Don't know/no answer	9%	7.7%	8.8%

Table 16: Household survey responses to the question: 'Are there incidents in your community in which people are injured by firearms?' (By gender and total)⁵⁷

However, the responses to the question 'Are there incidents in your community in which people are injured by firearms?' vary significantly when categorised by ethnicity. Notably, Kosovo-Serb respondents believed injuries caused by firearms happened much more frequently than Kosovo-Albanian respondents did. While 79.5% of Kosovo-Albanian respondents thought there were 'no incidents' in which people were injured by firearms in their community, only 12.4% of Kosovo-Serb respondents concurred.⁵⁸ The most frequent Kosovo-Serb response, 'yes, a few incidents,' accounted for 51.4% of all Kosovo-Serb responses, while 'yes, many incidents' accounted for 33.5%. As data from Mitrovica North Hospital was not received, it is not possible to ascertain to what extent these differences in perception reflect the situation on the ground.

RESPONSE	KOSOVO-ALBANIAN	KOSOVO-SERB	BOSNIAN	ASHKALI	ROMA	OTHER
No, no incidents	79.5%	12.4%	72.7%	71.4%	12.5%	66.7%
Yes, a few incidents	10.3%	51.4%	9.1%	28.6%	37.5%	25%
Yes, many incidents	0.3%	33.5%	9.1%	-	25%	8.3%
Don't know/no answer	10%	2.8%	9.1%	-	25%	-

Table 17: Household survey responses to the question: 'Are there incidents in your community in which people are injured by firearms?' (By ethnicity)

On the basis of the available medical records and HHS responses, it is possible to conclude that the impact of SALW on public health in Kosovo in the period 2003 - 2005, whilst significant, was not severe. However, the level of firearm-related injuries rose sharply in the period of heightened tension and violence in March 2004. The fact that firearm misuse occurs most frequently during periods of tension supports the findings contained in the Perceptions Survey in this report, which indicate that people hold SALW primarily for the protection of themselves and their family. Combined with a high level of uncontrolled civilian SALW ownership (see Section 2.3), this common motivation indicates a significant yet latent potential for future SALW misuse in the event of deteriorated security.

3.1.2 Fatal injuries

Pristina University Hospital recorded 27 deaths caused by firearms over the period 2003-2005. Firearm fatalities constituted 3.5% of all fatalities handled at this hospital over this period. Exempting deaths due to natural causes, firearms accounted for 15.3% of all remaining fatalities, second only to traffic accidents, which accounted for 63.8%.

⁵⁷ All percentages given in this Table and subsequent tables are rounded to the nearest decimal place and thus may not total 100%.

⁵⁸ The small number of respondents of other ethnicities makes precise comparison difficult. In general terms, the responses to this question given by Bosnian and Ashkali respondents closely corresponded to those given by Kosovo-Albanian respondents, while answers by Roma respondents corresponded more closely to those given by Kosovo-Serb respondents.

CAUSE OF DEATH	2003	2004	2005	TOTAL (2003 - 2005)	% OF ALL FATALITIES (2003 - 2005)
Firearms	7	15	5	27	3.5%
Bladed weapons	1	1	3	5	0.7%
Traffic	28	44	41	113	14.7%
Natural death	166	191	233	590	76.9%
Other	12	8	12	32	4.2%

Table 18: Cause of fatalities recorded by Pristina University Hospital, 2003 - 2005

Pristina University Hospital's records show that 15 fatalities were caused by firearms in the peak year of 2004. A third of the deaths in 2004 came from Mitrovicë/Mitrovica, yet the Hospital's records show that there were no reported firearm fatalities from this municipality in 2003 or 2005 (see Table 19).

MUNICIPALITY	2003	2004	2005	TOTAL
Malishevë/Mališevo	1	0	0	1
Gjakovë/Đakovica	0	1	0	1
Skenderaj/Srbica	1	0	0	1
Mitrovicë/Mitrovica	0	5	0	5
Vushtrri/Vucitrn	0	2	1	3
Podujevë/Podujevo	2	0	0	2
Prishtinë/Priština	0	3	1	4
Lipjan/Lipljan	1	2	0	3
Ferizaj/Uroševac	1	1	0	2
Gjilan/Gnjilane	0	1	1	2
Viti/Vitina	0	0	1	1
Other	1	0	1	2
TOTAL	7	15	5	27

Table 19: Firearm fatalities by patient's municipality of origin, Pristina University Hospital, 2003 - 2005

For reasons stated above, the Pristina University Hospital records represent a very incomplete picture of firearm-related fatalities in Kosovo. An alternative snapshot can be taken from the available UNMIK data. The number of deaths (14) due to firearms recorded by UNMIK in the period 01 January - 20 April 2006 only,⁵⁹ is almost three times the number of all fatalities recorded by Pristina University Hospital for the whole of 2005. The majority of firearm-related fatalities in this period occurred in the south-west region of Kosovo, which includes Pejë/Peć and Podujevë/Podujevo, the towns that were most frequently perceived by KIs and focus group participants as having the highest incidence of firearm-related violence. Extrapolated over a year, this could suggest around 46 firearm-related fatalities across Kosovo, or almost four a month.⁶⁰

⁵⁹ Official UNMIK data.

⁶⁰ *Ibid.*



3.1.3 Homicide

Research data reveals that SALW-related murders represent a significant and increasing proportion of all murders in Kosovo.⁶¹ However, there are two differing sets of statistics available for assessing the numbers of SALW-related murders in Kosovo: those provided by UNMIK Police, and those provided by the KPS. For the period January 2000 - April 2006, UNMIK Police recorded a total of:

- 470 murders committed with a firearm; and
- 817 attempted murders involving the use of a firearm.⁶²

However, these statistics differ to those provided by the KPS, which, for the period January 2000 - March 2006, recorded a total of:

- 386 murders committed with a firearm; and
- 753 attempted murders involving the use of a firearm.⁶³

It is extremely unlikely that the difference between these two sets of data can be accounted for by the lack of KPS statistics for the month of April 2006, and the research team was unable to obtain an explanation for this discrepancy. However, additional information can be obtained from UNMIK Police data relating to SALW seizures, which record that in 2004, 70 SALW were seized in relation to murder cases, with a further 91 SALW seized in 2005.

In contrast to KPS statistics, the UNMIK crime data is disaggregated by year as well as being more detailed, thus permitting an analysis of trends over time. Figure 4 below details the number of murders that were committed with the use of a firearm for each year between 2000 and 2005, and during the first four months of 2006, as recorded by UNMIK:

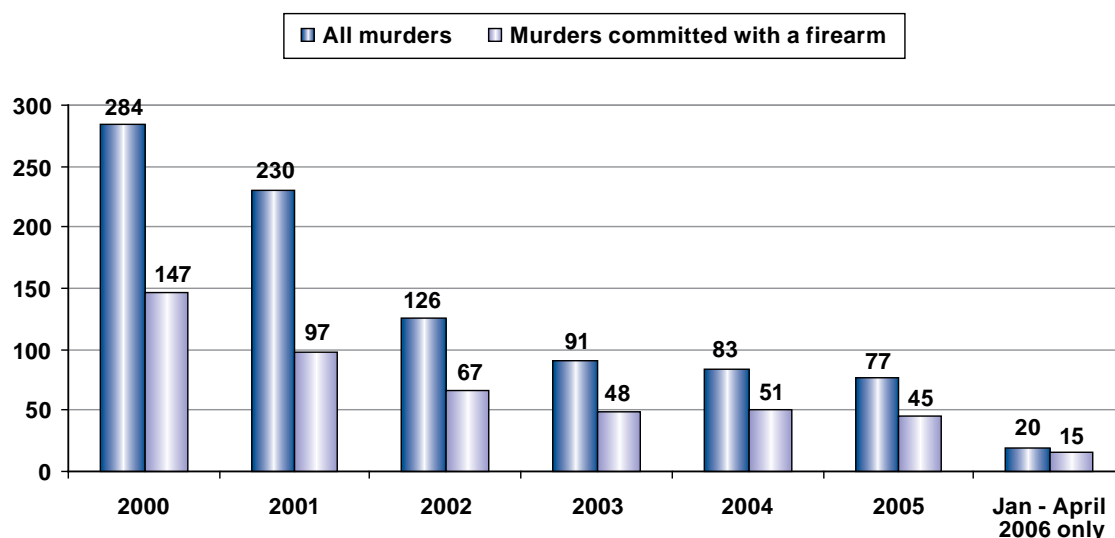


Figure 4: All murders and murders committed with a firearm (January 2000 - April 2006)

(Source: UNMIK Police Data)

According to UNMIK crime statistics, a total of 911 murders and 1,154 attempted murders were committed between 2000 and April 2006. Therefore over half (51.6%) of all murders recorded in Kosovo over this period

⁶¹ This may have been affected by improved record-keeping and data-management procedures.

⁶² UNMIK Police data, received from Paul Jordan, 19 May 2006. The data refers to 'weapons' but the Directorate of Crime Analysis has confirmed the data refers to firearms only. Correspondence, Major Nazmijja Basovic, Head of Directorate of Crime Analysis, 05 July 2006.

⁶³ KPS data, received from Major Killokoqi, Department of Public Order, 24 April 2006.

were committed with a firearm, while 70.8% of recorded attempted murders involved a firearm. As Figure 4 demonstrates, both the total number of murders committed annually and the number of murders committed with a firearm have been declining since 2000; in 2000, the rate of SALW-related murders was high at approximately 7.4 per 100,000 people, but this decreased to approximately 2.3 by 2005.⁶⁴ However, it is important to note that as there is no reliable population figure for Kosovo during these years, these rates are only approximate.⁶⁵

YEAR	FIREARM MURDERS PER 100,000 PEOPLE
2000	7.4
2001	4.9
2002	3.4
2003	2.4
2004	2.6
2005	2.3

Table 20: Murders committed with a firearm per 100,000 people

(Source: UNMIK Police Data)

Despite the declining murder rate, the proportion of all recorded murders involving SALW has increased from 51.8% in 2000 to 58.4% in 2005. Although this is lower than that for the peak year of 2004, which was 61.4%. When compared with other states in SEE for which data was available, this is extremely high; for example the Moldovan Ministry of Internal Affairs recorded only 118 homicides committed with firearms between January 2000 and November 2005, a figure that represents just five percent of all homicides committed during this period.⁶⁶ Further, official statistics from the Ministry of Interior in Bulgaria show that 16.2% of all recorded homicides during the period January 2000 - December 2005 were committed with firearms.

A further source of information regarding SALW-related homicide is the media. During 2005, the print media in Kosovo detailed 61 different cases of SALW-related murder, and a further 52 cases of SALW-related attempted murder. Further, in March 2006, two different cases of SALW-related murder and 12 cases of SALW-related attempted murder were reported in the print media that was monitored.⁶⁷ The cases detailed in the media during 2005 clearly total more than the incidents recorded by UNMIK and KPS, though this may be a result of the media revisiting cases that had been committed in previous years.

The district court in Gjilan/Gnjilane also provided the research team with firearm-related statistics for the years 2002 and 2003. In 2002, Gjilan/Gnjilane district court dealt with 19 cases of murder and ten cases of attempted murder involving the use of a firearm, and in 2003, dealt with a further six SALW-related murders and 14 SALW-related attempted murders. However, due to a lack of information regarding the total number of murders and attempted murders prosecuted before this court during 2002 and 2003, it was not possible for the research team to establish the proportion of total cases that involved firearms.

It is clear from the preceding analysis that the available statistics for SALW-related homicide is incomplete, but it remains that the use of firearms in the commission of such crimes in Kosovo is both significant and increasing as a proportion of recorded murders. This becomes especially apparent when compared to other countries in SEE for which comparable data is available (see above). However, establishing an accurate assessment of SALW-

⁶⁴ The most recent data still represents an elevated proportion; comparable data indicates that in Serbia in 2002, the rate of SALW-related homicides was 1.14 per 100,000 people. *Op. cit.*, Taylor, Z. *et al.*, p. 30.

⁶⁵ The rates have been calculated on the basis of the population estimate of two million people, provided by the Statistical Office of Kosovo. Available at: http://www.ks-gov.net/esk/index_english.htm accessed 20 June 2006.

⁶⁶ Wood, D. *et al.*, *SALW Survey of Moldova* (SEESAC, Belgrade, 2006) p. 39.

⁶⁷ The research team conducted a review of articles published in 3 Kosovo-wide daily newspapers (*Kosova Sot*, *Zëri* and *Koha Ditore*) between 01 January 2005 and 31 December 2005. Additionally, the three dailies as well the main news programmes of two Kosovo TV stations, RTK and KTV, were monitored between 01 March and 31 March 2006. The numbers reflect the numbers of incidents reported at least once rather than the total number of reports.



related homicide in Kosovo will continue to be problematic unless data collection and management by the police, MOH and Ministry of Justice (MOJ) significantly improves.

3.1.3.1 Regional distribution of firearm-related murders

Available data reveals that the greatest number of SALW-related murders during the period January 2000-April 2006 were recorded in the Prishtinë/Priština region, closely followed by the Pejë/Peć region. Although accurate statistics regarding the population of these regions is unavailable, it is known that the Pejë/Peć region is less heavily populated than Prishtinë/Priština. As the level of SALW-related murders in the Pejë/Peć region is close to that recorded in Prishtinë/Priština, it is thus reasonable to assess that Pejë/Peć has a higher rate of SALW-related murders *per capita*. Further, whilst there was a rise in SALW-related homicides in 2004 when compared with the previous year, this increase was most noticeable in Prishtinë/Priština:

REGION	2000	2001	2002	2003	2004	2005	JANUARY- APRIL 2006	TOTAL
Gjilan / Gnjilane	15	16	4	8	7	9	1	60
Mitrovicë / Mitrovica	26	18	11	5	5	6	-	71
Pejë / Peć	21	29	23	22	14	8	9	126
Prishtinë / Pristina	63	20	17	8	18	13	5	144
Prizren	22	14	12	5	7	8	-	68
Border (Recorded by Border Police)	-	-	-	-		1	-	1
TOTAL	147	97	67	48	51	45	15	470

Table 21: Recorded murders committed with a firearm, by region

(Source: Gjilan/Gnjilane District Court)

3.1.3.2 Gender, age and ethnic distribution of firearm-related murders

UNMIK Police statistics permit an analysis of SALW-related murders in relation to the gender, age and ethnicity of both suspects and victims.⁶⁸ Between January 2000 and April 2006, males accounted for 95.3% of murder suspects, with women constituting 5%. However, women were the victims in almost 13% of SALW-related murders:

GENDER	2000	2001	2002	2003	2004	2005	JANUARY- APRIL 2006	TOTAL
SUSPECT'S GENDER								
Female	5	3	5	3	5	2	-	23
Male	121	94	73	72	72	77	20	529
Unknown	-	2	1	-	-	-	-	3
TOTAL	126	99	79	75	77	79	20	555
VICTIM'S GENDER								
Female	14	15	14	12	9	10	5	79
Male	151	95	73	72	61	57	23	532
Unknown	-	-	-	-	-	-	-	-
TOTAL	165	110	87	84	70	67	28	611

Table 22: Recorded murders committed with a firearm, by gender of suspect and victim

(Source: UNMIK Police Data)

⁶⁸ It should be noted that in the data provided to the research team by UNMIK, the total number of victims of SALW-related murders was higher than the total number of recorded SALW-related murders. It is quite possible that this discrepancy is a result of recording multiple-victim murders as just one case.

UNMIK Police data also adopts three age-related categories to classify victims and suspects of crime; 'child' (0 - 12 years), 'juvenile' (13 - 18 years) and 'adult' (19 years and above). The available data establishes that 90.1% of those suspected of using a firearm to commit a murder between January 2000 and April 2006 were 'adults,' whilst 8.7% were juveniles. However, the failure to further disaggregate the category of 'adult' makes it difficult to more accurately assess the age range of murder suspects. For the same period, seven percent of those murdered with firearms were juveniles (where the age was known) and a further 1.8% were children:

AGE	2000	2001	2002	2003	2004	2005	JANUARY- APRIL 2006	TOTAL
SUSPECT'S AGE								
Child (0-12)		1		1				2
Juvenile (13-18)	9	8	8	7	6	3	2	43
Adult (19 +)	103	76	57	56	64	76	17	449
Unknown	14	14	14	11	7	-	1	61
TOTAL	126	99	79	75	77	79	20	555
VICTIM'S AGE								
Child (0-12)	1	1	-	5	1	1	-	9
Juvenile (13-18)	8	6	7	5	7	1	2	36
Adult (19+)	127	80	62	62	58	59	18	466
Unknown	29	23	18	12	4	6	8	100
TOTAL	165	110	87	84	70	67	28	611

Table 23: Recorded murders committed with a firearm, by age of suspect and victim

(Source: UNMIK Police Data)

An analysis of the ethnic breakdown of suspects and victims of SALW-related murders reveals that whilst 6.1% of persons suspected of committing murder with a firearm in the period January 2000 - April 2006 were Kosovo-Serbs, 11.1% of victims were Kosovo-Serbs. As Kosovo-Serbs constitute an estimated 7% of the population in Kosovo,⁶⁹ they were therefore victims in a disproportionately high number of cases. In the same period, Kosovo-Albanians constituted 83.3% of all victims of SALW-related murders, while 89.5% of persons suspected of committing such murders were Kosovo-Albanian. This reinforces the suggestion that Kosovo-Serbs were proportionately more likely to become a victim of a SALW-related murder than members of other ethnic groups in Kosovo during the period January 2000 - April 2006. However, it should be noted that murder rates amongst both ethnic populations have been decreasing in recent years.

⁶⁹ Statistical Office of Kosovo, *Living Standard Measurement Survey 2000*.



ETHNICITY	2000	2001	2002	2003	2004	2005	JANUARY- APRIL 2006	TOTAL
SUSPECT'S ETHNICITY								
Kosovo-Albanian	113	87	66	65	69	77	20	497
Bosnian	-	-	-	3	1		-	4
Roma	-	-	2	3	-		-	5
Kosovo-Serb	10	5	9	2	6	2	-	34
Other	3	7	2	2	1	-	-	15
TOTAL	126	99	79	75	77	79	20	555
VICTIM'S ETHNICITY								
Kosovo-Albanian	119	95	78	69	60	60	28	509
Bosnian	3	1	-	1	1	-	-	6
Roma	7	2	1	-	1	-	-	11
Kosovo-Serb	31	10	6	11	6	4	-	68
Other	5	2	2	3	2	3	-	17
TOTAL	165	110	87	84	70	67	28	611

Table 24: Recorded murders committed with a firearm, by the ethnicity of suspect and victim

(Source: UNMIK Police Data)

3.1.4 Suicide

KPS and UNMIK Police statistics on suicides differ substantially. At the higher end, KPS records show that there were 234 cases of suicide committed with a firearm between January 2000 and March 2006. At the lower end, UNMIK data record only 79 cases of suicides committed with a weapon in the period between January 2000 and April 2006.⁷⁰ Further, UNMIK records that the firearm-related suicides totalled 11 in both 2004 and 2005. This tallies more closely with UNMIK Police seizure data, according to which in 2004 police seized seven SALW that had been used in suicides, and five in 2005.

Print media in Kosovo reported twenty-four suicides committed with a firearm in 2005, with stories on another four suicides with a firearm reported in March 2006. Several members of the public interviewed for this Survey also commented on suicides committed with a firearm. However, the figures cited above do not enable satisfactory comparison of the Kosovo data with that of other cases in the region or the rest of the world.

3.1.5 Firearms use in domestic violence

According to KPS records, there were 1,310 reported cases of domestic violence against women in 2004, with a further 1,370 in 2005. In 2005 there were also 257 reported cases of domestic violence against men. Firearms were involved in 17 recorded incidents of domestic violence in 2005 and in 13 cases in the first six months of 2006. In all but one of these incidents, men were the suspected perpetrators, while 81% of victims were women.

⁷⁰ Moreover, the number is an aggregate number for all weapons, not only firearms. UNMIK Police data, received from Paul Jordan, Head of Crime Analysis, 19 May 2006.

PERIOD	REGION	NUMBER OF INCIDENTS	TYPE OF INCIDENT IN WHICH FIREARM WAS INVOLVED	SUSPECT'S GENDER		GENDER AND NUMBER OF VICTIMS	
January - December 2005	Prishtinë/Priština	3	Threat	Male (3)		Female (3) Male (1)	
January - December 2005	Prizren/Prizren	8	Threat	Male (8)		Female (8) Male (3)	
January - December 2005	Pejë/Peć	3	Threat	Male (3)		Female (3)	
January - December 2005	Mitrovicë/Mitrovica	3	Threat	Male (3)		Female (3)	
January - December 2005	Gjilan/Gnjilane	0	-	-		-	
January - December 2005	Ferizaj/Uroševac	0	-	-		-	
January - June 2006	Prishtinë/Priština	2	Threat	Male (2)		Female (3)	
January - June 2006	Prishtinë/Priština	1	Murder	Male (1)		Female (1)	
January - June 2006	Prizren/Prizren	5	Threat	Male (5)		Female (5) Male (2)	
January - June 2006	Prizren/Prizren	1	Attempted murder	Female (1)		Male (1)	
January - June 2006	Pejë/Peć	2	Attempted murder	Male (2)		Female (2)	
January - June 2006	Mitrovicë/Mitrovica	2	Threat	Male (2)		Female (2)	
January - June 2006	Gjilan/Gnjilane	0	-	-		-	
January - June 2006	Ferizaj/Uroševac	0	-	-		-	
TOTAL		30		29 (M)	1 (F)	30 (F)	7 (M)
				30		37	

Table 25: Domestic violence incidents involving firearms, January 2005 - June 2006

(Source: Unit for the Investigation of Domestic Violence, KPS)

In the vast majority of cases, firearms were used by a man to threaten a woman; only in three cases were firearms used exclusively by a man against another male member of the household, while men were attacked jointly with women in a further three cases. The statistics available do not, however, indicate how many individuals involved in these incidents were children.

The KPS data establishes that one murder and three attempted murders involving the use of firearms were recorded during January - June 2006, while none were recorded in the whole of 2005. Should the proportion of SALW-related domestic violence incidents continue to increase at the rate evidenced in the first six months of 2006, it would mark an increase in the number and severity of incidents when compared with 2005. This elevated rate of recorded incidents may however be a reflection of improved efficiency in record-keeping and investigation of such incidents. Further, whilst it is clear that firearms are used in the commission of domestic violence, KPS statistics suggest that they are involved in just 1.3% of all reported incidents.

A slightly different picture was revealed by KILs. The NGO Medica (based in Gjakovë/Dakovica) provides psycho-social counselling to women traumatised by violence in the town and its environs. Between mid-2003 and mid-2004, Medica's counsellors treated 65 women who had been victims of violent domestic abuse. In 23% of these cases (15), firearms were used,⁷¹ and Medica's records show that in several of these cases the threats were made by men under the influence of alcohol. Further, in three of the 65 cases, 'cold steel', such as a kitchen knife or a hatchet, was used. Medica counsellors were unsure whether the difference in the number of reports of firearms and bladed weapons was due to a greater use of firearms in domestic violence, or because a higher percentage of women who had been threatened with SALW sought counselling. However, they informed the research team of

⁷¹ Medica's official records, data received from Vepore Shehu, Executive Director, 26 April 2006.



the following case, a particularly useful illustration of a typical domestic abuse incident involving firearms: when a man heard rumours that his 19 year old daughter had been seen with a man from another village, a different man to the one whom her father had arranged for her to be married, he reportedly beat his daughter. The girl's mother tried to intervene on her daughter's behalf, but also incurred her husband's wrath. As a result of his wife's intervention, the husband used his firearm to support his verbal threat that if he heard more rumours of his daughter's romantic liaisons with the man from another village, and not her betrothed, then he would kill them. The man's wife was admitted to hospital for injuries that were not firearm-related. However, a neighbour of the family reported the case to the local police, who confiscated the man's weapon and held him for an undisclosed period of time.⁷²

3.2 Crime attributed to SALW

3.2.1 Number of reported firearms-related crimes

UNMIK official crime statistics show that the overall number of reported crimes increased slightly in the years 2003 - 2005,⁷³ although it remained below the totals recorded for 2001 and 2002. The overall increase in recorded crimes is accounted for by an increase in 'crimes against society' and crimes classified as 'other'. All other categories of crimes and offences, including 'crimes against the person' and 'crimes against property,' are decreasing, according to the statistics. Official records also show a small but steady decline in the number of firearm-related crimes for this period (see Figure 5 below), which can be accounted for by a decrease in the number of reported crimes against persons and property. However, UNMIK statistics also show a rise in firearms being used in 'crimes against society':

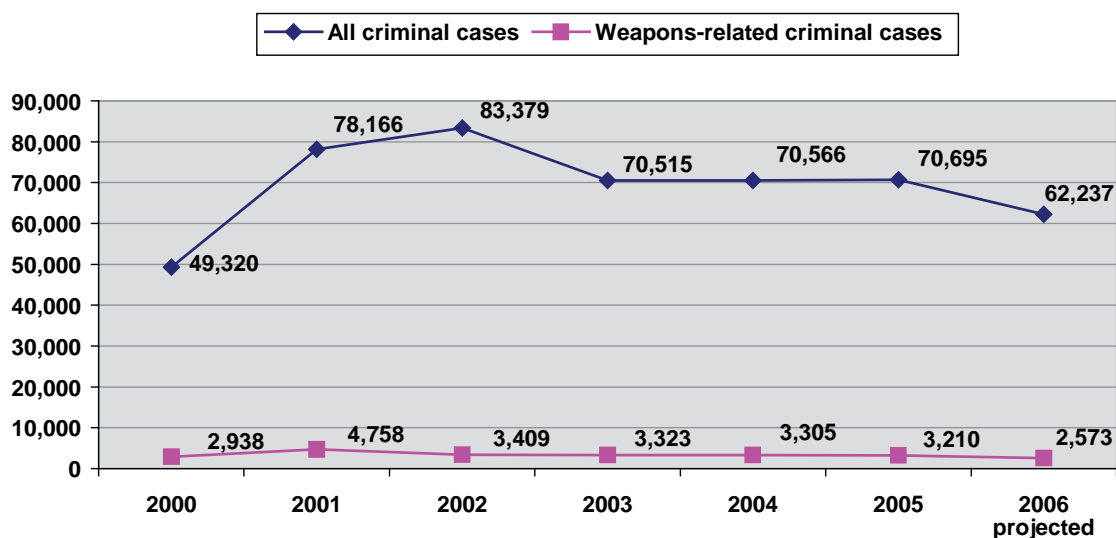


Figure 5: All criminal cases and criminal cases involving weapons per year, UNMIK Police data, January 2000 - May 2006 ⁷⁴

Although the statistics contained in Figure 5 were prepared by the UNMIK Crime Analysis Section, they do not correspond to UNMIK statistics used in a number of other reports. For example, UNMIK statistics quoted in the UNDP Early Warning Report for the period October - December 2005 indicate very different crime trends.

⁷² Gjakovë/Đakovica, mid-2003.

⁷³ This could have been affected by improved record-keeping and data-management procedures.

⁷⁴ It should be noted that the figure for 2006 is projected, based on actual statistics of 25,932 criminal offences and 1,072 criminal offences involving weapons for the period January to May 2006.

According to the UNDP report, the overall number of crimes in 2005 dropped by one percent in comparison to 2004, with SALW-related crimes rising by seven percent during the same period.⁷⁵

3.2.2 Types of crimes involving firearms

Although UNMIK has expressed concerns that data regarding SALW-related crime is unreliable, it is still useful to examine recorded figures in order to gain a general impression of activity in this area. The UNMIK crime data available establishes that there were a total of 2,515 criminal discharges of firearms between January 2000 and April 2006. Further, firearms were involved in 1,346 cases of assault, 796 cases of robbery and 543 cases of grievous assault during this period:

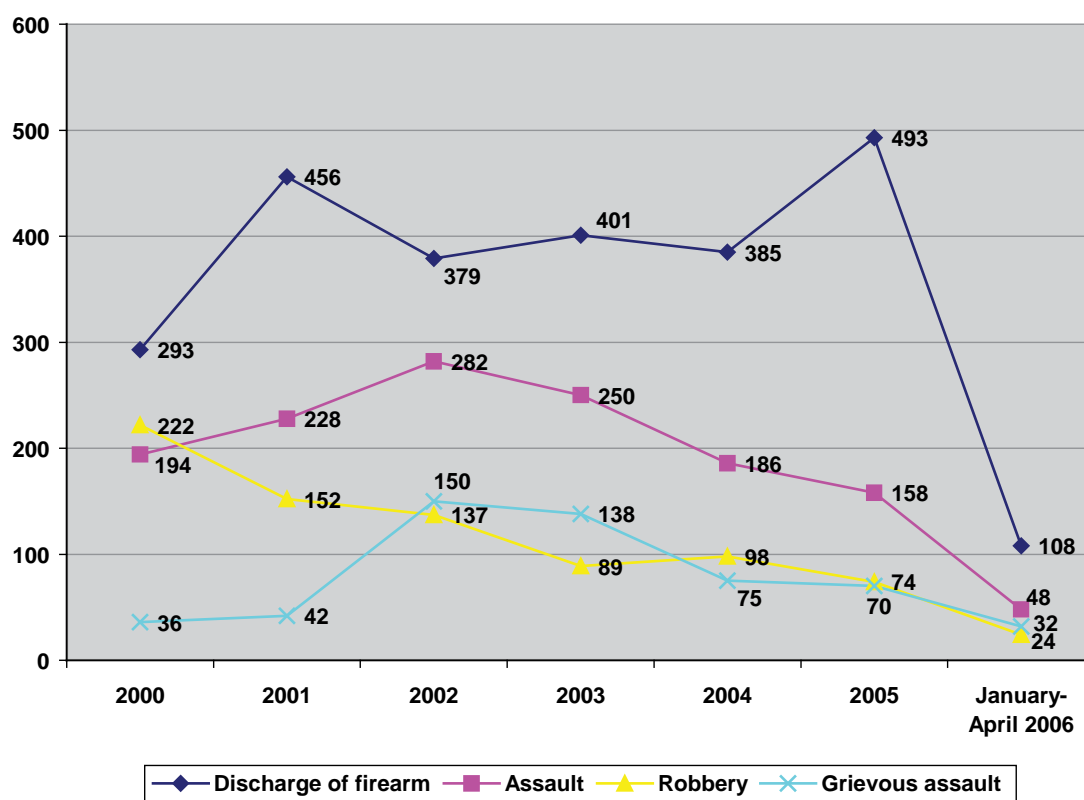


Figure 6: Criminal cases involving firearms (selected), January 2000 - April 2006

According to UNMIK Police data, 2,369 weapons were seized in relation to a criminal offence in 2005, 2,125 of which were SALW. This represents a 13% increase in the total of weapons seized, and a 12% increase in the total SALW seized, when compared to 2004 (2,093 weapons, of which 1,901 were SALW). Almost 60% (1,441) of the weapons seized by the police in 2005 were confiscated as a consequence of illegal possession, an increase of 157 since 2004 (1,284). A further 8.5% of the total seizures were a result of 'discharge of a firearm', while 4.9% were related to 'intimidation', 3.8% to 'murder' and 3.8% to 'assault'. There were notable increases in the total number of firearms seized in 2005 when compared to 2004, especially in the categories of 'discharge of a firearm' (202 compared to 126), 'intimidation' (115 compared to 92), 'murder' (91 compared to 70) and 'assault' (89 compared to 76). Only seizures relating to 'grievous assault' (44 in both cases) and 'burglary' (3 compared to 4) did not increase from 2004 to 2005.

⁷⁵ UNDP, *Early Warning Report No. 12*, October-December 2005, p 25. Available at: http://www.kosovo.undp.org/publications/ews12/ewr12_eng.pdf accessed 16 May 2006.

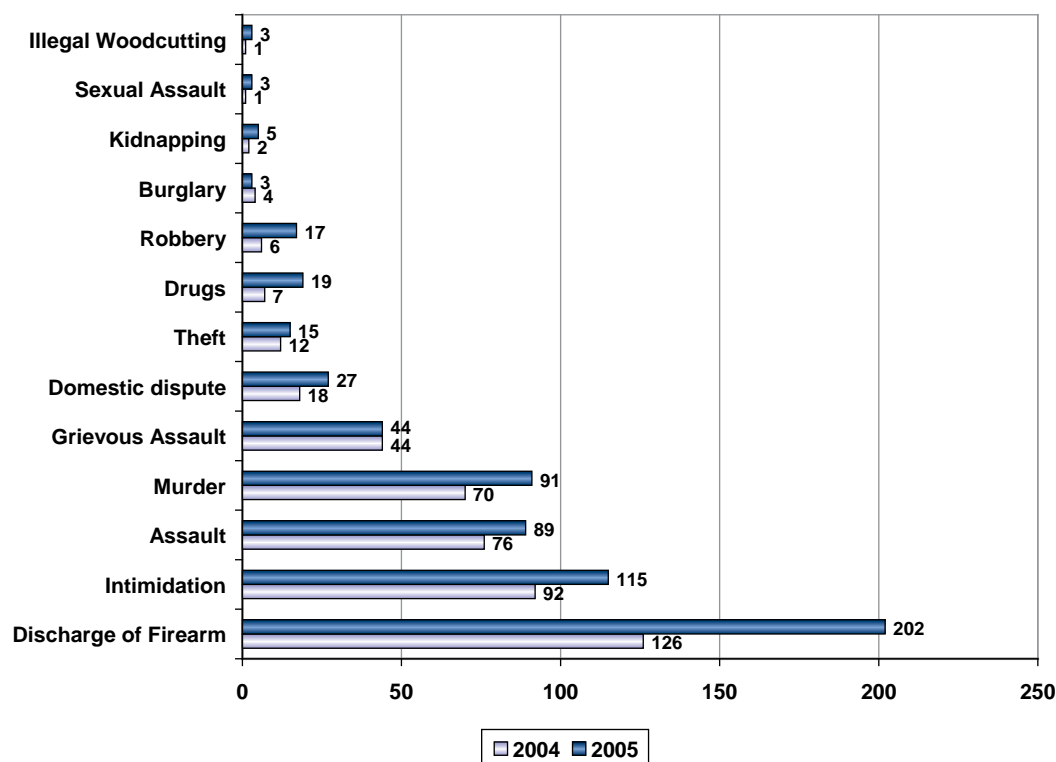


Figure 7: Seized weapons by offence type (selected), 2004 - 2005

(Source: UNMIK Police Data)

It is interesting to compare these statistics with the results of the HHS. In response to the question 'what types of crimes occur most frequently in your community?' the main response, identified by 11% of respondents, was armed robbery. However, there were significant differences between ethnic groups: only 3.7% of Kosovo-Serb respondents identified armed robberies as the crime occurring most frequently in their area, whilst 28.6% of Ashkali respondents, 18.2% of Bosnian, 12.7% of Kosovo-Albanian and 6.3% of Roma considered such crimes to occur most frequently in their communities:

ETHNIC GROUPING	NUMBER	PERCENTAGE
Kosovo-Serb	8	3.7%
Kosovo-Albanian	126	12.7%
Roma	1	6.3%
Bosnian	2	18.2%
Ashkali	2	28.6%
TOTAL	139	11.0%

Table 26: Number and percentage of HHS respondents who considered armed robbery to be a frequent occurrence in their community (Base N = 1,258)

It is likely that this perception is also influenced by media reports. For example, the research team's media review revealed that 65 different cases of armed robbery were reported in three daily newspapers in 2005, a figure that accounts for around a third of robberies of all kinds reported in these newspapers. And in March 2006, four of the 18 robberies featured in the news involved firearms.

TYPE OF INCIDENT	2005	MARCH 2006
Shooting	100	8
Armed Robbery	65	4
Armed Threats	36	5
Armed Attack	31	2
Firearms Confiscated	224	36
Foray for Firearms	48	4
Firearms Declared	3	1
Firearms Surrendered	11	0
Firearms Found	13	0
Firearms Licensed	1	0
Sentences for illegal SALW	3	0
Firearms Trafficking	3	0
TOTALS	538	60

Table 27: Media reports of firearm incidents⁷⁶

In response to the HHS question ‘what types of crimes occur most frequently in your community?’ the second most frequently identified crime involving weapons was ‘armed threats’. This accounted for 3.8% of respondents overall, and ten percent of Kosovo-Serb, 14.3% of Ashkali and just 2.4% of Kosovo-Albanian respondents. Fears relating to robbery and threats more generally were also highlighted in a focus group conducted with businesspeople. Although not a single focus group participant discussed an instance of where they or their business had been the subject of an armed robbery or threat, the majority expressed a desire to carry a weapon to protect their business.

3.2.3 Types of SALW used in crimes

While the total number of SALW seized showed an increase in 2005 when compared to 2004, according to UNMIK Police data, the total number of SALW confiscated for use as evidence in criminal cases dropped from 207 items in 2004 to 144 items in 2005. Pistols remained the most common weapons seized as evidence in criminal cases in both 2004 and 2005. However, although the total number of pistols seized decreased from 79 in 2004 to 75 in 2005, they increased as a proportion of weapons seized as evidence in a criminal case from 38% in 2004 to 52% in 2005. This is in part due to the fact that the number of rifles and shotguns taken as evidence fell sharply between 2005 and 2004. Thus, while 30 rifles and 41 shotguns were seized as evidence in 2004, only 15 and 11 respectively were seized in the following year.

Though the data breakdown provided by UNMIK Police does not include information on the seizures of explosives in relation to crime, UNMIK crime data records a total of 139 attacks with the use of grenades, mines or other explosives committed in the period January 2000 - April 2006. The majority of these were recorded in immediate post-war years (60 incidents recorded in 2000 and 33 in 2001), with the number of recorded incidents falling substantially to 11 in 2004 and only 6 in 2005.⁷⁷ However, other UNMIK records, together with KIIs and media reports indicate that the criminal use of explosives may be more widespread than revealed by the official police data. UNMIK data for the period 01 January–20 April 2006 record 22 explosions caused by a hand grenade or a

⁷⁶ Reported in *Koha Ditore*, *Kosova Sot* and *Zëri* between 01 January and 31 December 2005 and in *Koha Ditore*, *Kosova Sot* and *Zëri* and on the RTK and KTV television stations, between 01 March and 31 March 2006. The number reflects the number of incidents reported at least once rather than a total number of reports.

⁷⁷ UNMIK Police data, received from Paul Jordan, Head of Crime Analysis, 19 May 2006. 11 incidents were recorded in 2002 and 15 in 2003.



bomb,⁷⁸ while media reports reveal that 47 different explosions (excluding controlled explosions) were reported in 2005 and 13 in March 2006. Further, UNHCR interviewees were of the belief that grenades were the weapons most frequently used in armed inter-ethnic attacks (see Section 3.3.1 below).

3.2.4 Geographic patterns of firearm related criminal cases

Although UNMIK Police statistics show a declining number of criminal cases involving firearms as a whole since 2001, there are fluctuations in the year-by-year records for Kosovo's different regions. Nevertheless, it appears that armed crime is most prevalent in the Pejë/Peć and Prishtinë/Priština regions. The number of criminal cases involving firearms in these regions is almost double those for Mitrovicë/Mitrovica, Gjiilan/Gnjilane and Prizren/Prizren in the years 2003, 2004 and 2005.

REGION	2000	2001	2002	2003	2004	2005	JANUARY- APRIL 2006	TOTAL
Gjiilan/Gnjilane	277	583	380	436	532	502	152	2,862
Mitrovicë/ Mitrovica	484	718	643	492	553	393	143	3,426
Pejë/Peć	628	1,440	990	996	939	974	318	6,285
Prishtinë/ Priština	1,160	1,495	940	898	850	899	330	6,572
Prizren/Prizren	335	503	446	484	416	397	115	2,696
Border Police	54	19	10	17	15	45	14	174
TOTAL	2,938	4,758	3,409	3,323	3,305	3,210	1,072	22,015

Table 28: Criminal cases involving firearms, UNMIK Police, January 2000 - April 2006

3.3 Other impacts

3.3.1 Impacts of SALW on inter-ethnic relations

It remains a difficult task to try to assess the impact of SALW on inter-ethnic relations in Kosovo. According to a forthcoming report by the NGO, Collaborative for Development Action, this is because the dynamics of the relationship are very complex. For example, it can be difficult to clearly identify an instance of inter-ethnic crime, as distinct from a crime that has economic or other criminal motives.⁷⁹ This has not stopped the report's authors from arguing that since 2002, inter-ethnic crime has consistently accounted for between eight and ten percent of all crime in Kosovo. In their opinion, inter-ethnic crime, like other forms of crime, is conditioned at least in part by factors such as high unemployment and weak law enforcement, rather than being tied purely to inter-ethnic relations or political events. This is a viewpoint with which a recent International Crisis Group (ICG) report appears to concur, as it argues that although an increasing proportion of property-related crime and theft is thought to have involved inter-ethnic factors, this is probably due to opportunism rather than ethnic tensions.⁸⁰

UNHCR conducts regular monitoring of ethnically motivated incidents in Kosovo, and has found that the number of large-scale incidents has been decreasing for the past three years.⁸¹ However, the organisation also reports that this decline appears to have been accompanied by a growing number of small-scale incidents. Interviewees from UNHCR informed the research team that although hand grenades seem to be involved in most violent inter-

⁷⁸ UNMIK official data.

⁷⁹ Collaborative for Development Action (CDA), *What difference has peace building made? A study of Peacebuilding and the March 2004 Riots in Kosovo: Summary of findings*, March 2006.

⁸⁰ ICG, *Kosovo: The Challenge of Transition*, 17 February 2006, p. 8. Available at: http://www.crisisgroup.org/library/documents/europe/balkans/170_kosovo___the_challenge_of_transition.pdf accessed 17 April 2006.

⁸¹ UNHCR Kosovo staff, 04 April 2006.

ethnic incidents in recent years, one should note that '*recurrent verbal assault and graffiti are as important a factor as grenade attacks in influencing the perceptions of security among communities in a minority situation and among returnees*'.⁸² Therefore, SALW are simply one factor in a complex matrix of factors that influence security perceptions in Kosovo. On the basis of their experience on the ground, UNHCR interviewees believed that one of the main routes to changing security perceptions, especially within minority communities, is to improve law enforcement and the prosecution of perpetrators of violent crimes.⁸³

The UNDP Early Warning Reports for July - September 2005 and October - December 2005 note a potential relationship between particular armed incidents and perceptions of security. For example, a UNDP opinion poll conducted in September 2005 recorded an increase in Kosovo-Serb respondents who considered inter-ethnic relations between Kosovo-Albanians and Serbs to be tense from 76% in June 2005 to 98.5%.⁸⁴ It has been argued that this sharp increase in negative perceptions could have been significantly influenced by an armed attack on a car in the Shtërpçë/Štrpce municipality at the end of August 2005, in which two Kosovo-Serbs were killed and two others were injured.⁸⁵ A similar opinion poll conducted in December 2005 showed that attitudes towards relations between Kosovo-Albanians and Kosovo-Serbs relations had improved in comparison to the September 2005 poll, but still remained worrying, with 83.2% of respondents considering inter-ethnic relations to be tense. A number of incidents between late October and December 2005, in which it seemed that Kosovo-Serbs had been attacked, can be used to explain these perceptions. Further, complaints have been reported by Kosovo-Serb villagers in central and south-east Kosovo that they have been subjected to recurring gun and grenade attacks as part of a wider campaign of pressure to sell their property to Kosovo-Albanians.⁸⁶

In fact, there is a striking difference in perceptions of the prevalence of armed threat among Kosovo's different communities. While 9.8% of Kosovo-Albanian HHS respondents thought there were 'a few' armed threats occurring in their community, only 0.2% thought that there were 'many' such incidents. On the other hand, 36.2% of Kosovo-Serb respondents thought that there were 'many' incidents in which people were threatened by firearms, 46.2% thought that there were a 'few' such incidents and only 13.8% stated that such incidents did not occur in their community. The majority of Roma respondents also felt that cases of armed threat occurred in their community, with almost 19% believing that there were 'many' and almost 44% stating that there were 'a few' such incidents.

RESPONSE	ALBANIAN	SERBIAN	BOSNIAN	ASHKALI	ROMA	OTHER
No, no incidents	74.3%	13.8%	36.4%	57.1%	12.5%	50%
Yes, a few incidents	9.8%	46.8%	9.1%	14.3%	43.8%	41.7%
Yes, many incidents	0.2%	36.2%	9.1%	0%	18.8%	8.3%
Don't know/no answer	15.7%	3.2%	45.5%	28.6%	25%	0%

Table 29: 'Are there incidents in your community in which people are threatened by firearms?' (By ethnicity)
(Base N = 1,258)

These responses do not explicitly identify the ethnic group to which the threatening individuals or groups belong, but they clearly highlight the communities in Kosovo that believe that they are particularly exposed to intimidation with firearms.

Although levels of reported armed crime in Mitrovicë/Mitrovica are lower than in other parts of Kosovo, focus group participants in northern Mitrovicë/Mitrovica were able to recall more instances of firearm-related incidents that affected them or their family in the last year, in comparison to focus group participants from other parts

⁸² *Ibid.*

⁸³ *Ibid.*

⁸⁴ UNDP, *Early Warning Report* No. 11, July-September 2005, p. 25. Available at: http://mirror.undp.org/kosovo/publications/ews11/ews11_engl.pdf accessed 19 May 2006.

⁸⁵ The report further points out that the total number of Kosovo-Serb victims of crime recorded in this period was very low. *Op. cit.*, UNDP, *Early Warning Report*, No. 11, p. 25.

⁸⁶ *Op. cit.*, ICG, *Kosovo: The Challenge of Transition*, p. 8.



of Kosovo. Of the eight women present in the northern Mitrovica focus group, three stated they had not been affected by firearm incidents in the last year, but expressed a fear that they might be in the near future. The incidents recalled by the other participants are contained in the box below:

Box 1: Mitrovicë / Mitrovica focus group participants experiences of firearms over the last twelve months.

'Unfortunately, I was wounded in the hand. It happened in November 2005. I was watching TV when I heard some strange noises in front of my house. I went out onto the balcony to see what was going on and someone shot me. It was in the evening and my neighbour was shot too' (Female, 58 years).

'As you can see, I am dressed in black. My sister was murdered two months ago. Maybe you heard about the lady who was abused and murdered...before that, she was robbed many times and she lived poorly here in Mitrovica, in the Bosnian mahala. No one was arrested, but there are some suspects' (Female, 56).

'A month ago, we were attacked and our car was stolen. No-one came although we called the police. They told us to go to the police station and report the case' (Female, 35).

'Thank God, I have not been a victim. But my parents have. They live in Milosevo. Also, my neighbours were attacked in the building where I live, in the 'Three Towers' area' (Female, 53).

'Personally, I was not attacked but my husband's cousin was. Last year, in the autumn, he was the victim of a bomb attack on the bridge over the river Ibri. Since then, he cannot walk anymore' (Female, 26).

3.3.2 Impact on governance and the rule of law

It is obvious that SALW possession and use in Kosovo has had a detrimental impact on politics, justice and law enforcement. District courts, judges and police officers have all been the subjects of a number of armed attacks, while it is thought that local government authorities have also been targeted.

Many of the district court judges and prosecutors interviewed for this report expressed concerns about the potential for violent intimidation in the course of their duties. Approximately half of the KJs from the legal profession expressed a desire for 'additional protection' to protect themselves against threats, such as the right to bear arms or be assigned bodyguards. However, as with the focus group of businesspeople, not a single specific case of armed intimidation, threat, injury or fatality to legal personnel was offered to support the proposal for permission to carry firearms, though in January 2006, two security guards at the Graçanicë/Gračanica court were wounded by shots fired from a moving vehicle while they were changing shifts. The Radio Television of Kosovo (RTK) reported that the KPS had arrested the suspected perpetrators, seizing their car and SALW, but did not discuss the possible motives for this attack.⁸⁷ Therefore, it is unclear if this was an attack on the court, the security guard firm responsible for guarding it, or the individual security guards.

In 2005, two Kosovo-Serb KPS officers were murdered and a further ten attempted murders and 57 assaults were perpetrated against KPS and UNMIK officers.⁸⁸ It has been argued that Kosovo-Serb police officers have been the main targets of these attacks,⁸⁹ as they were, for example, subjected to a number of armed assaults in southern Kosovo between August and October 2005.⁹⁰ These attacks are not only the result of fairly widespread civilian and criminal firearms possession, but more worryingly, they demonstrate a lack of respect for those charged with enforcing the rule of law.

Municipal authorities have also been targeted by SALW attacks. For example, in August 2005, it was reported that *'unidentified individuals opened fire with an automatic weapon in front of Zubin Potok's municipal building*

⁸⁷ RTK TV, 'Kosovo: Two arrested after shooting of court guards in Gračanica', 08 January 2006. Available at: <http://www.seesac.org/wms2006/2006-01-08.htm> - Kosovo:%20Two%20arrested%20after%20shoot. Accessed 13 May 2006.

⁸⁸ *Op. cit.*, UNDP, *Early Warning Report No. 12*, p. 28.

⁸⁹ *Ibid.*

⁹⁰ Radio Free Europe, 'Gunmen attack Serb police officers in southern Kosovo', 27 October 2005. Available at: http://www.seesac.org/press/wms_31102005.htm - Gunmen%20attack%20Serbian%20police%20off accessed 19 May 2006.



and threw two hand grenades into the parking lot'. This attack caused minor damage to the yard behind the building, which houses the police station and municipal offices, and seriously damaged some police and UN vehicles.⁹¹

3.3.3 Impacts of SALW on children and young people

According to the teachers interviewed for this report, SALW are not visible in Kosovo's schools. This appears to corroborate the findings of a recent report on bullying in schools, which was commissioned by UNICEF, which did not consider that it was worth mentioning the use of firearms in school bullying.⁹² However, several teachers stated that SALW searches were not conducted, so they cannot comment on efforts to conceal SALW in Kosovo's schools. One of the teachers interviewed did express concern about the number of bladed weapons found among pupils at his school, and also stated that during a recent random search, organised in collaboration with KPS and UNMIK Police, two gas-powered guns were found.⁹³ Several KIs also stated that while firearms are not visible in schools, they do affect children and young people beyond the school gates. For example, a secondary school teacher in North Mitrovica recalled how one of his pupils, a 16-year old female, was shot dead by her jealous boyfriend in 2005.⁹⁴

Media reports also comment on the ways in which children and young people are affected by SALW in the domestic environment. For example, the daily *Zëri* reported on 07 March 2006 that: *'an 11-year old girl was accidentally shot by her father while he was cleaning his weapon. The incident, which took place in south Mitrovica, was reported by the spokesperson of the regional UNMIK Police. The girl received medical treatment for her light injuries, while the police confiscated the TT-revolver and arrested the 35-year old man, who was subsequently released by the prosecutor'*.

Interviewees and focus group participants also provided qualitative data on the impact of firearms on children and young people. One interviewee from Gjakovë/Đakovica recalled an incident in which her relatives' 12 year-old son was accidentally shot dead using his father's gun while playing with it with another 12 year-old. This interviewee also asserted that such incidents were by no means rare in her area.⁹⁵

Yet not all interviewees confined themselves to commenting upon accidental shootings by and of children and young people. Several focus group participants expressed concerns about the ways in which the young people in their neighbourhoods were the perpetrators of armed violence. For example, a 45 year-old male from Prishtinë/Priština stated: *'I live in the Kodra e Trimave neighbourhood. There is a lot of insecurity there. The young people are entertaining themselves with guns...It's an aggressive neighbourhood. At night it is dangerous, as there are robberies and stabbings. It is especially dangerous near schools...I have a shop in front of a school and can bear witness to these events.'* (Focus group participant, male (45), Prishtinë/Priština).

The belief that young people possess SALW, in particular pistols, was expressed by elderly participants in a number of focus groups. These concerns were also shared by young people during focus group discussions who expressed fears that firearms were present in nightclubs.

⁹¹ KosovaLive, 'Municipal building in Kosovo attacked with machine guns, hand-grenades', 09 August 2005. Available at: http://www.seesac.org/press/wms_15082005.htm - Municipal%20building%20in%20Kosovo%20att accessed 15 May 2006.

⁹² Interview, Robert Fuderich, Head, UNICEF Kosovo, 05 April 2006.

⁹³ Interview, Director of Secondary School, Prishtinë/Priština, 04 May 2006.

⁹⁴ Interview, Secondary School teacher, North Mitrovica, 06 April 2006.

⁹⁵ Interview, Gjakovë/Đakovica, 30 March 2006.



4 Small Arms Perception Survey

4.1 Perceptions of security

An extensive HHS undertaken with heads of households and a series of focus group discussions conducted in different regions of Kosovo, were used to explore the attitudes and perceptions of Kosovan citizens towards security and SALW issues. The findings of the HHS and focus groups suggest that, whilst feelings of security do not differ significantly between males and females, they do vary greatly between the different ethnic groups and regions of Kosovo. In general, the Kosovo-Albanian majority perceived the security situation in Kosovo in a more favourable light than the Kosovo-Serb minority. Kosovo-Albanian respondents felt that their communities were safer and expressed fewer concerns with crime than respondents from other ethnic groups. They also tended to express higher levels of trust and confidence in Kosovan and international security providers. One of the most worrying findings of this report is that Kosovo-Serbs have very little confidence in the Kosovan and international security providers, suggesting that they do not believe that these agencies will protect them and their interests.

Another important finding from the HHS relates less to the information that was provided, and more to the information that was withheld. A large proportion of respondents either refused to answer or opted for 'do not know' options in response to a number of HHS questions on SALW possession and visibility. It therefore appears that the HHS questionnaire elicited high levels of suspicion from a considerable number of interviewees. For example, ten percent of respondents reported a sense of discomfort with the content of the HHS; with a large number of respondents stating that they found the questions 'provocative' or 'suspicious'. It is likely that this is, in large part, a result of the current macro-political and security context; the ongoing final status negotiations and the ensuing tensions that they have generated are likely to have increased levels of suspicion regarding the purpose of this Survey. However, the significant degree of discomfort reported helps to explain the high number of 'no answer' and 'do not know' responses in the findings discussed below. It should not be assumed that these respondents have something to hide, but it does suggest that caution is warranted when attempting to read general patterns and trends for SALW ownership based solely upon the data contained in this Section.

4.1.1 Causes of insecurity

The results of the HHS and focus groups indicate that the main concerns of Kosovans are related to with socio-economic and infrastructure-related issues. Thus, the top three choices provided in response to the HHS question: 'In your opinion, what are the top three most serious problems that your community faces?' in descending order, were unemployment, poor electricity supply and poor roads:

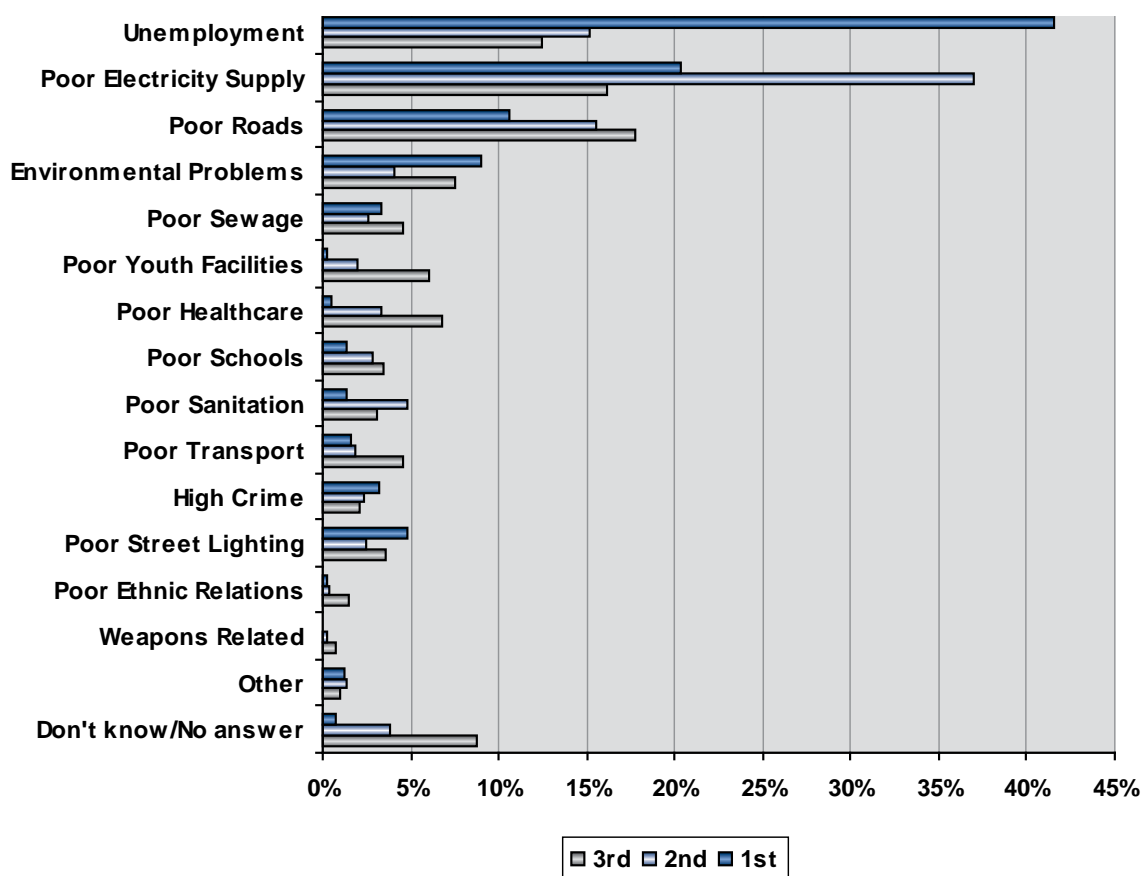


Figure 8: In your opinion, what are the top three most serious problems that your community faces?
(Base N = 1,258)

These perceptions proved to be fairly consistent across Kosovo's different ethnic groups, although a large proportion of the Kosovo-Serb minority considered environmental problems to be the most serious issue facing the community (45%). Socio-economic issues were also amongst the top choices revealed in previous SALW Surveys carried out in SEE. For example, when asked to identify the main cause of insecurity for themselves and their families, 33.9% of Bulgarian, 47% of Serbian and 32.5% of Moldovan respondents selected 'economic insecurity' as the most pressing concern.⁹⁶ Further, in the Moldovan SALW Survey, 36.7% of respondents considered 'job creation' to be one of their community's main problems.⁹⁷ Thus, the significance attached to socio-economic issues and the correspondingly low importance placed on SALW-related concerns by those questioned in the HHS is not unique to Kosovo within SEE.

Only 15 HHS respondents out of a total of 1,258 (a little over 1%) identified 'weapons-related problems' as one of the three most significant threats to their community. All of these respondents were Kosovo-Albanian. The low ranking of SALW-related problems in Kosovo also conforms to the regional pattern, with SALW featuring as one of the main causes of insecurity for only 0.7% of respondents in Bulgaria, 1.6% in Moldova and 2.2% in Serbia.⁹⁸

While focus group participants also continually identified high unemployment, poor economic conditions and extreme poverty as their main concerns, they also argued that these factors helped to create and nurture an atmosphere of insecurity. Unsurprisingly therefore, the proportion of citizens who are either themselves a victim of crime, or have had a criminal act directed against a member of their family appears to be high. 20.4% of HHS respondents stated that either they or a family member had been a victim of crime in the past twelve months. 11.1% had experienced two criminal offences, and 5.6% had suffered three incidents during the last 12 months. The findings of a comparable HHS conducted in Albania in March 2005 as part of a national SALW Survey

⁹⁶ *Op. cit.*, Rynn, S. et al.; *op. cit.*, Taylor, Z. et al.; *op. cit.*, Wood, D. et al.; p. 48.

⁹⁷ *Op. cit.*, Wood, D. et al., p. 48.

⁹⁸ *Op. cit.*, Rynn, S. et al.; *op. cit.*, Taylor, Z. et al.; *op. cit.*, Wood, D. et al., p. 47.



revealed that 7.2% of respondents had been a victim of crime, or were closely related to a victim of crime, a rate considerably lower than the responses to this question in Kosovo.⁹⁹

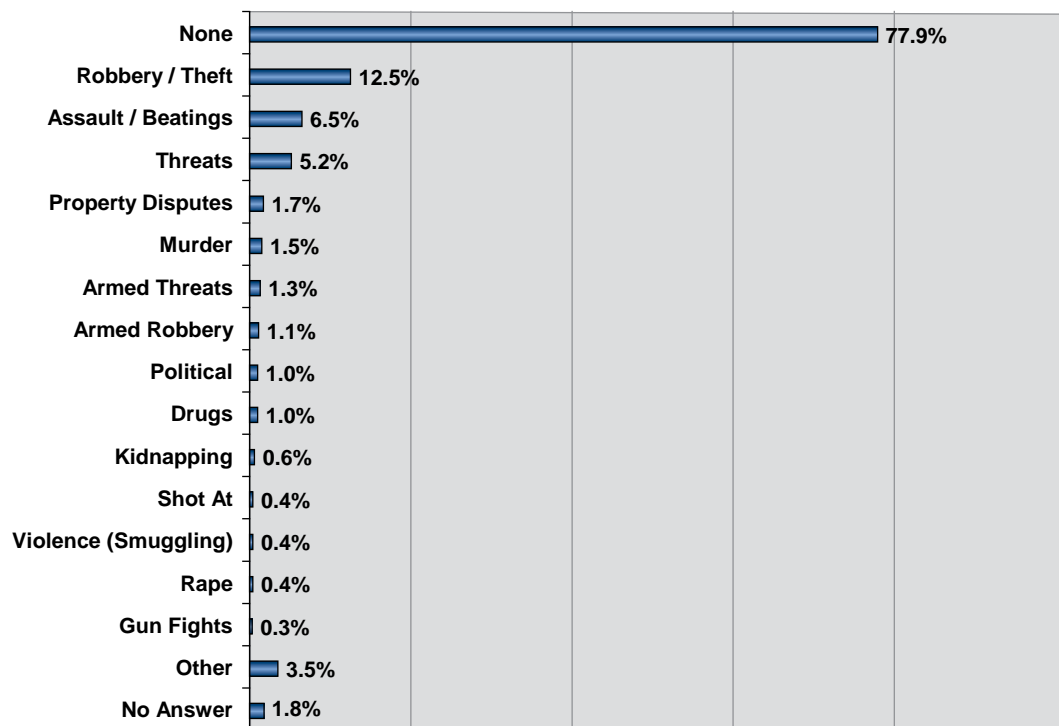


Figure 9: Have you or a member of your family been a victim in any of the following types of crime/incident in the last twelve months? (Multiple responses) (Base N = 1,258)

The majority of crimes reported to HHS interviewers were robberies, theft, threats, assaults or beatings. 3.1% of all respondents stated that they or a member of their family had been involved in a crime that was clearly identified as weapons-related (e.g. armed robbery, armed threats, being shot at), with these incidents accounting for 8.1% of all the crimes reported to the HHS. However, this proportion could be even higher if SALW were used in the kidnappings, murders, rape, or other crimes listed in the Figure above.

Although HHS findings did not suggest any significant variation between ethnic groups with regard to SALW-related crime generally, 1.8% of Kosovo-Serb respondents reported that they or members of their family had been shot at. The corresponding statistic for Kosovo-Albanian respondents was 0%, and it is interesting to note in conjunction with this that data suggests that Kosovo-Serbs are proportionately more likely than Kosovo-Albanians to become a victim of SALW-related homicide (see Section 3.1.3). Further, several Kosovo-Serb participants in focus groups cited examples of armed violence directed against their friends and family. This issue warrants further examination, as it would appear to explain the higher levels of insecurity and elevated perceptions of SALW-related injuries amongst the Kosovo-Serb population (for further discussion, see Sections 3.1.1 and 3.3.1). However, it is not possible to draw any firm conclusion regarding the motivations behind the highlighted attacks without a much more detailed investigation.

4.1.2 Perceptions of security

4.1.2.1 General perceptions of security and regional variations

According to the HHS, 63.5% of respondents stated that their communities were 'safe' or 'very safe', while 17.6% considered their community to be either 'unsafe' or 'very unsafe'. The proportion of Kosovan respondents that

⁹⁹ *Op. cit.*, Holtom, P. et al., p. 17.



perceive their communities to be 'safe' or 'very safe' is higher than comparable sets of responses gathered during SALW Surveys in Albania (54.3%) and Serbia and Montenegro (52.7%).¹⁰⁰

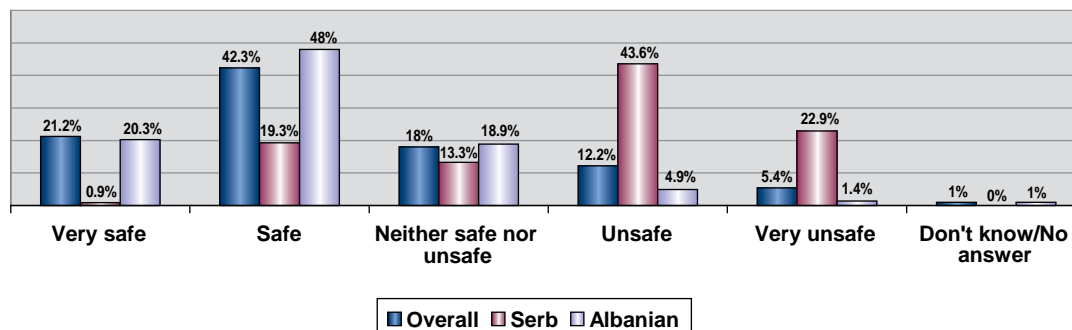


Figure 10: How would you describe your community? (Base N = 1,258)

From such data, one could infer that perceptions of public safety levels are fairly high in Kosovo in comparison to other areas in the SEE region. Such an assumption would, however be misleading; the results in this instance conceal a significant variation in responses between Kosovo-Albanians and Kosovo-Serbs. For example, while the overall percentage of HHS respondents declaring their communities to be 'safe' or 'very safe' correlates fairly closely with the 68.3% of Kosovo-Albanians who selected these options, it does not closely correspond with the 20.2% of Kosovo-Serbs who expressed such feelings.

Perceptions of an unsafe community amongst Kosovo-Serbs were also expressed during focus group discussions. In particular, violent attacks directed towards participants and their families were mentioned on several occasions. One focus group participant noted the particular danger for Kosovo-Serbs; *'in the south of Kosovo, you can't move around without an escort. If they find out that you are a Serb then you can expect a bullet'*.¹⁰¹

Perceptions of community safety also vary across Kosovo, with several areas identified as being particularly safe, such as Glogoc/Glogovac, Istog/Istok and Leposaviq/Leposavić, all of which were rated as 'safe' or 'very safe' by more than ninety percent of the HHS respondents living there. It is perhaps unsurprising that these sites were more or less mono-ethnic communities.¹⁰² Amongst the communities identified as most dangerous by HHS respondents was Gorazhdec/Goraždevac, a Kosovo-Serb enclave with a history of inter-ethnic violence: 100% of HHS respondents living in this area described their community as 'very unsafe'.¹⁰³ Further, Shtërpçë/Štrpce was considered to be particularly dangerous by its inhabitants. Again, there has been a history of violence directed against Kosovo-Serbs in this community.¹⁰⁴ Despite widely held feelings of insecurity, almost half of all HHS respondents considered their community to be more secure than other regions of Kosovo, and just under a third believed that the level of safety in their community was comparable to that in other parts of Kosovo:

¹⁰⁰ Zvekic, U., *Criminal victimization in countries in transition* (UNICRI, No. 61, Rome 1998), p. 82. Available at: http://www.unicri.it/www/analysis/icvs/pdf_files/No61/c07_61.PDF accessed 17 May 2006.

¹⁰¹ Focus group participant, male (44), Leposaviq/Leposavić.

¹⁰² See: OSCE, *Municipal Profile: Glogoc/Glogovac*, December 2005. Available at: http://www.osce.org/documents/mik/2005/02/1183_en.pdf accessed 19 May 2006; OSCE, *Municipal Profile: Istog/Istok*, November 2005. Available at: http://www.osce.org/documents/mik/2005/02/1186_en.pdf accessed 19 May 2006; OSCE, *Municipal Profile: Leposaviq/Leposavić*, November 2005. Available at: http://www1.osce.org/documents/mik/2005/02/1192_en.pdf accessed 19 May 2006.

¹⁰³ For example, in August 2003, two Kosovo-Serb youths were shot dead, and another four injured, whilst playing in the river. US Department of State, *Country Reports on Human Rights Practices 2003: Serbia and Montenegro*, 25 February 2004. Available at: <http://www.state.gov/g/drl/rls/hrrpt/2003/27874.htm> accessed 03 June 2006.

¹⁰⁴ OSCE, *Municipal Profile: Štrpce/Shtërpçë*, November 2005. Available at: http://www.osce.org/documents/mik/2005/02/1203_en.pdf accessed 05 June 2006.

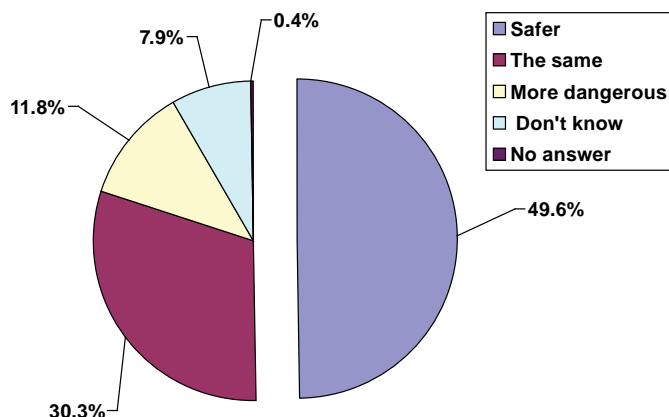


Figure 11: Do you think that your neighbourhood is safer or more dangerous than other regions of Kosovo?
(Base N = 1,258)

4.1.2.2 Perceptions of crime

The widely varied perceptions of safety and security in Kosovo are consolidated by research results concerning Kosovans' fear of crime. It is interesting to note that, whilst 20.4% of HHS respondents reported a crime directed towards either themselves or a member of their family, only 32% were afraid that they would become a victim of crime in the future. This would appear to support the relative degree of security felt within parts of Kosovo society and compares favourably with other countries in SEE. For example, the 2006 SALW Survey of Moldova revealed that 58% of HHS respondents feared that either they or their family would become a victim of crime in the future.¹⁰⁵

There were, however, a range of concerns when crime fears were broken down by different ethnicities. Kosovo-Albanians and Ashkali appeared to be the least concerned by crime, with only 20.1% of Kosovo-Albanian and 14.3% of Ashkali respondents expressing a fear that they might become a victim of crime. More than half of the Bosnian respondents (54.5%) also expressed the view that they did not think that they would be victims of crime, while 56.3% of Roma respondents thought that they might become a victim of crime in the near future. Nevertheless, the proportion of Roma respondents fearing becoming a victim of crime was still lower than that of Kosovo-Serbs, with 83.9% of them expressing a fear that they would become a victim of crime. The rationale for these widely divergent perceptions is perhaps best explained by the fact that while only 8.6% of Kosovo-Albanian respondents reported that they or a member of their family had been a victim of crime in the preceding 12 months, 71.1% of Kosovo-Serb and 68.6% of Roma HHS respondents stated that they or a member of their family had been a victim of crime over the same period.

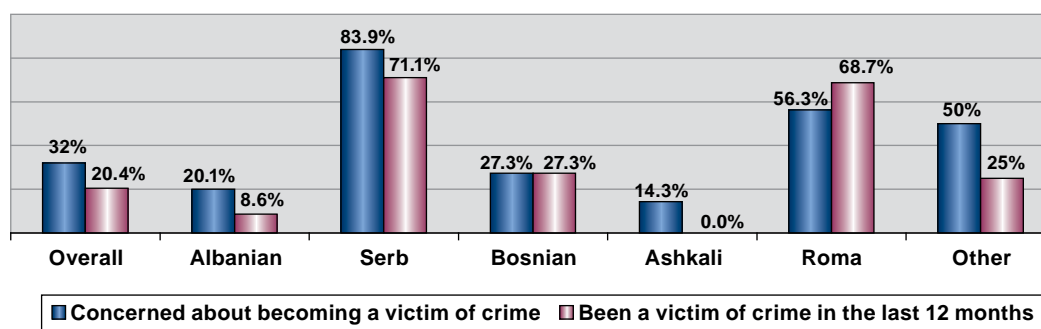


Figure 12: Concerns about becoming a victim of crime in the future vs. having been a victim of crime in the last twelve months (Base N = 1,258)

¹⁰⁵ *Op. cit.*, Wood, D. et al., p. 50.



The HHS also revealed that although only 13.7% of female HHS respondents had had a crime directed against themselves or their family in the last 12 months, a significantly lower proportion than the male HHS respondents (22.2%), there was also a significant gap between the percentage of females (25.6%) and males (33.6%) that expressed a fear that they would be a victim of crime in the future.

Although only 1.2% of respondents considered weapons-related issues to be one of the three most serious problems facing their community, 11% of HHS respondents stated that armed robbery occurred frequently in their area, with a further 3.8% of people considering armed threats to be a frequent event within their community:

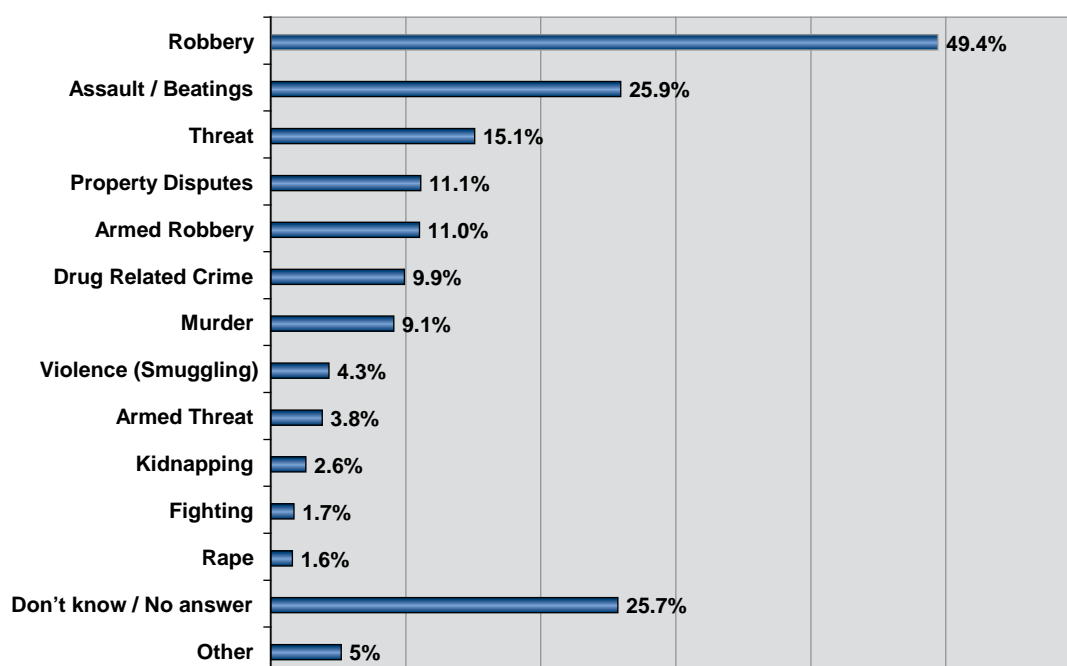


Figure 13: According to you, what types of crime occur frequently in your area? (Multiple answers)
(Base N = 1,258)

It is difficult to determine if these perceptions of armed violence are based upon personal experience, as although only 1.1% and 1.3% of HHS respondents reported an occurrence of armed robbery and armed threat respectively in the last year, the HHS survey did not gather information on incidents that may have occurred more than a year ago. Armed violence may well have been used against members of the community that were not members of the respondent's immediate family, and they may therefore have indirectly come into contact with armed violence. It is also likely that exposure to reports of armed violence in the media have had an influence upon their perceptions and response to this question.

During research for this report, Ashkali respondents reported far more exposure to armed violence than any other ethnic group. While Bosnian respondents, after Ashkali, were the group most concerned about armed robbery as a frequent occurrence in their community (18%), Kosovo-Serbs were the second most concerned ethnic group with regard to armed threats (10.1%). Kosovo-Serb perceptions of armed threats were particularly high in Gorazhdec/Goraždevac and Zupç/Zupče, with 60% and 50% of the respondents respectively from these communities perceiving them to be a frequent occurrence. This perhaps helps to explain why respondents in both of these areas declared their communities to be 'unsafe' (see Section 4.1.3).

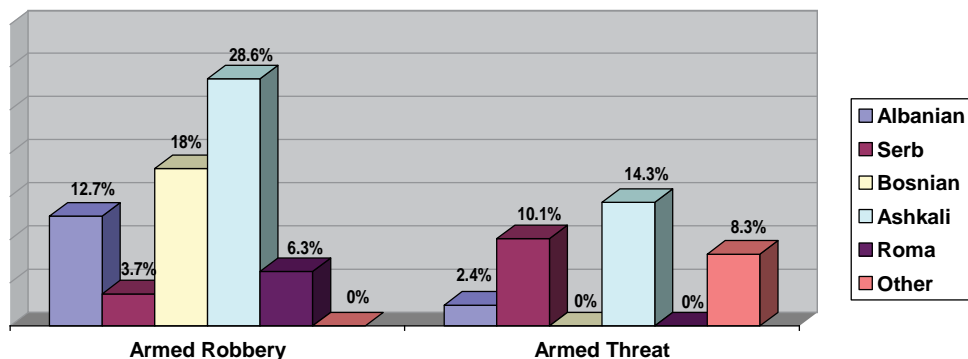


Figure 14: Perceptions of arms-related crime occurring frequently within a community (Base N = 1,258)

The pattern of responses changed slightly when HHS respondents were asked: 'Do you think there are incidents in your community where people are threatened by firearms?'

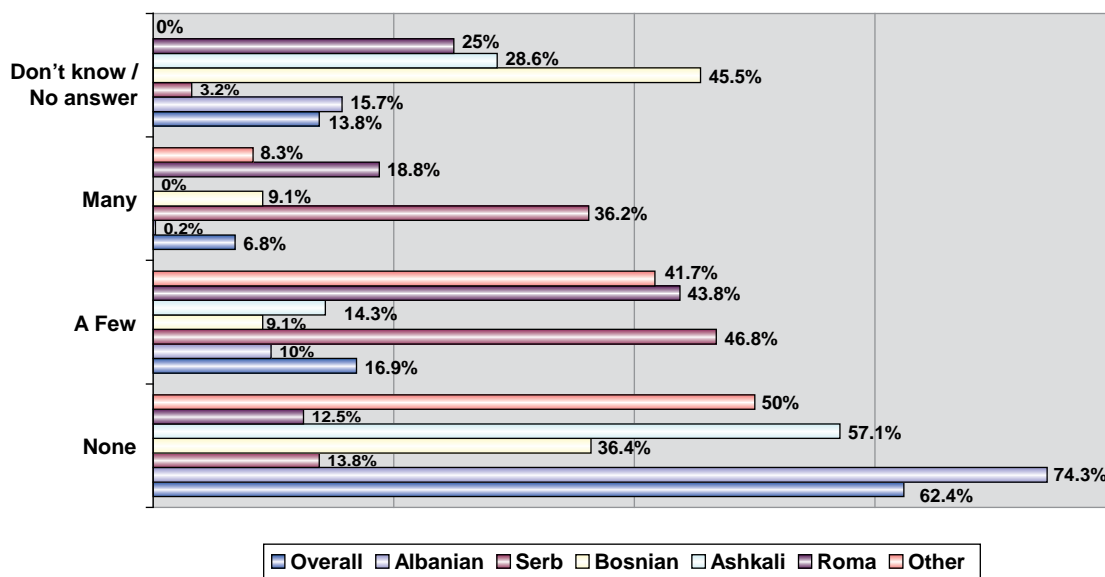


Figure 15: Do you think there are incidents in your community where people are threatened by firearms? (Base N = 1,258)

In response to this question, only ten percent of Kosovo-Albanians knew of 'a few' instances in which members of their community had been threatened by firearms, while no respondent suggested that there had been 'many' such instances. In contrast, 36.2% of Kosovo-Serbs and 18.8% of Roma reported that they thought there had been many such incidents in their community, with a further 46.8% and 43.8% respectively reporting that there had been a few. This suggests that these minority groups perceive significant levels of armed intimidation within their communities, though they do not explicitly express the origins of these threats. A similar pattern is discernible in HHS responses to the question: 'Do you think there are incidents in your community where people are injured by firearms?'. Once again, the overall average differed significantly from both Kosovo-Serb and Roma perceptions of firearms injuries; while 66.8% of all HHS respondents reported that there were no firearms injuries in their communities, only 12.4% of Kosovo-Serbs and 12.5% of Roma concurred.

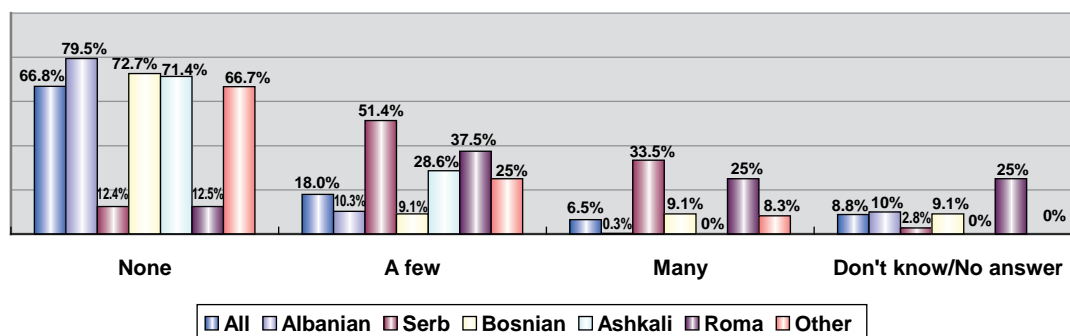


Figure 16: Do you think there are incidents in your community where people are injured by firearms?
(Base N = 1,258)

4.1.3 Changing perceptions of security

HHS findings show that while 42.2% of Kosovo-Albanian respondents reported increasing levels of security, only 5.5% of Kosovo-Serb respondents felt the same way.¹⁰⁶ Whilst the majority of Kosovo-Serb respondents (51.4%) felt that security levels had remained the same compared with three years ago, a significant proportion (32.6%) considered the situation to have deteriorated. This is perhaps indicative of the general sense of insecurity indicated by Kosovo-Serbs during the HHS and focus group discussions.

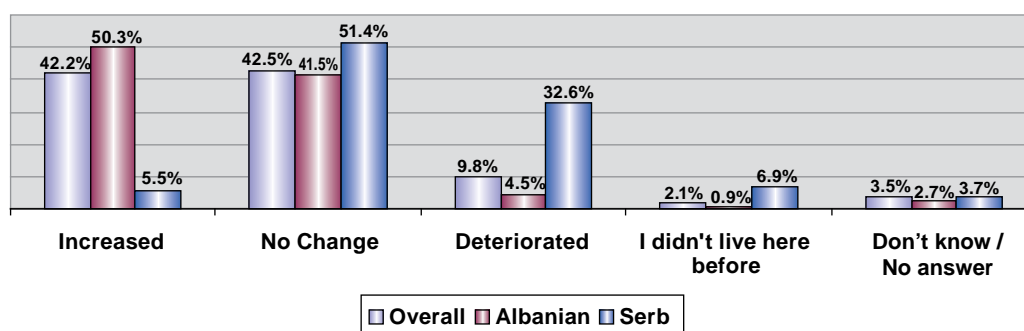


Figure 17: Compared to three years ago, how do you think the levels of safety in your community have changed?
(Base N = 1,258)

Several Kosovo-Albanian focus group participants stated that the period immediately following the 1999 conflict witnessed the highest levels of crime, followed by a steady decrease thereafter. However, the opinions of Kosovo-Serb focus group participants supported the view of those HHS respondents who declared that safety levels were deteriorating. It is therefore possible that the March 2004 riots and ensuing tensions have helped to foster perceptions of deteriorating safety levels amongst the Kosovo-Serb population, though general crime levels in Kosovo-Serb communities may have also played a role in this. Moreover, heightened tensions in four northern towns in June 2006 will likely contribute to further the feelings of insecurity amongst Kosovo-Serbs.¹⁰⁷

¹⁰⁶ The majority of the 5.5% respondents hailed from the Kosovo-Serb majority area of Zubin Potok/Zubin Potok, Leposaviq/Leposavić and Zvečan/Zvecan. An exception to this rule were the respondents from the Kosovo-Albanian dominated village of Fushë Kosovë/Kosovo Polje.

¹⁰⁷ The recent escalation in violence led to a 'state of emergency' being declared in four towns in June 2006, accompanied by a severance of relations with both UNMIK and the Kosovan institutions. Though UN officials have stated that there is no evidence to suggest ethnic motivation, Kosovo-Serb leaders have labelled the attacks as 'systematic, planned crimes to intimidate and ethnically cleanse the Serb population from Kosovo'. 'Kosovo Serbs sever ties with UN, provincial institutions', *Southeast European Times*, 06 June 2006. Available at: http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2006/06/06/feature-01 accessed 12 June 2006.



4.2 Perceptions of security providers

There are several elements of the HHS that can be used to assess public perceptions of, and attitudes towards, security providers. This report assesses this issue by analysing:

- Data relating to peoples levels of trust in various institutions;
- Assessments of security provider efficiency; and
- To whom respondents would turn if faced with potentially violent encounters.

One of the key indicators for public perceptions of security providers in Kosovo are the levels of trust that respondents place in key institutions. The HHS results indicated that the KPC enjoyed the full trust of 50.1% of all HHS respondents, with KFOR and the KPS enjoying the full trust of 34.4% and 27.7% of respondents respectively. About 30% of HHS respondents placed average levels of trust in institutions such as the judiciary (30.8%), local authorities (31.4%), the government (30.4%) and religious leaders (33.7%). A further fifth of respondents announced that they had no trust at all in Kosovo's politicians (22%), the judiciary (21.5%) or the local authorities (20.3%).

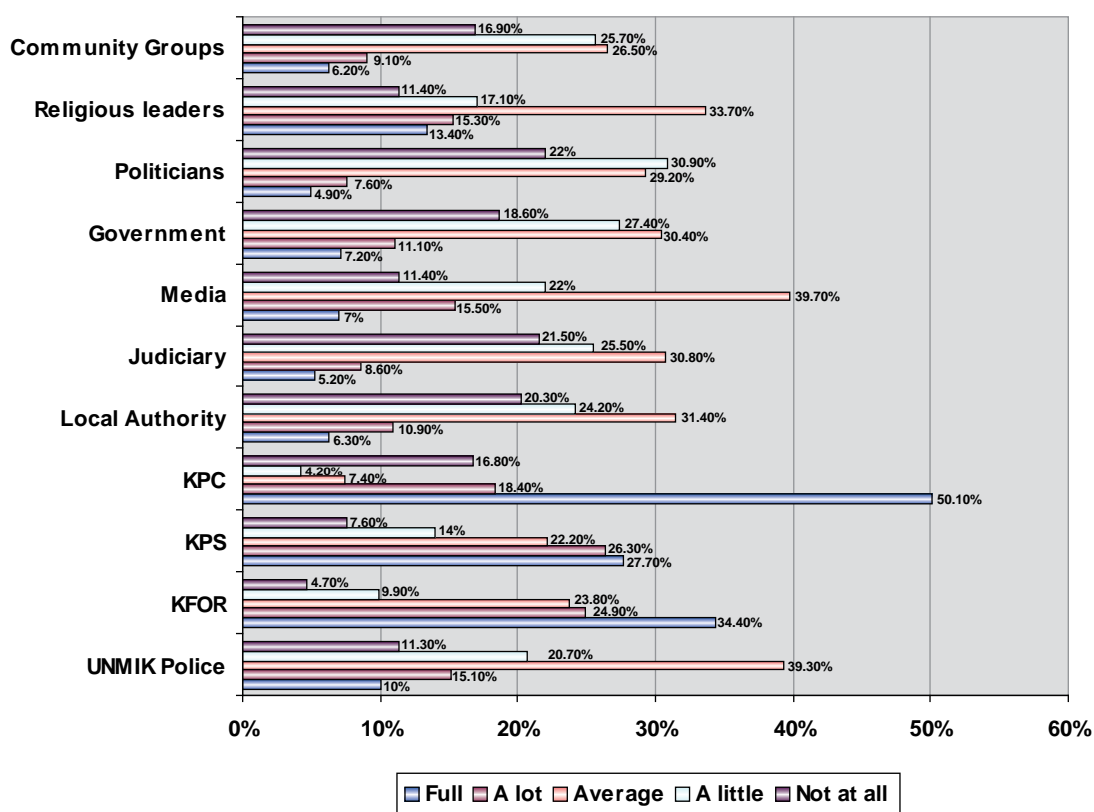


Figure 18: How much trust do you have in the following institutions? (Base N = 1,258)

However, these general perceptions do not accurately reflect the views of particular population groups. For example, Kosovo-Serbs expressed particularly low levels of trust in most of Kosovo's institutions and security providers, as Figure 19 below shows. This lack of confidence is echoed in the focus groups, where a large number of Kosovo-Serb participants stated that they would not rely on any security provider due to a feeling that 'no-one cares', a possible reflection of Kosovo-Serbs' feeling of exclusion from Kosovo's governance and security structures.

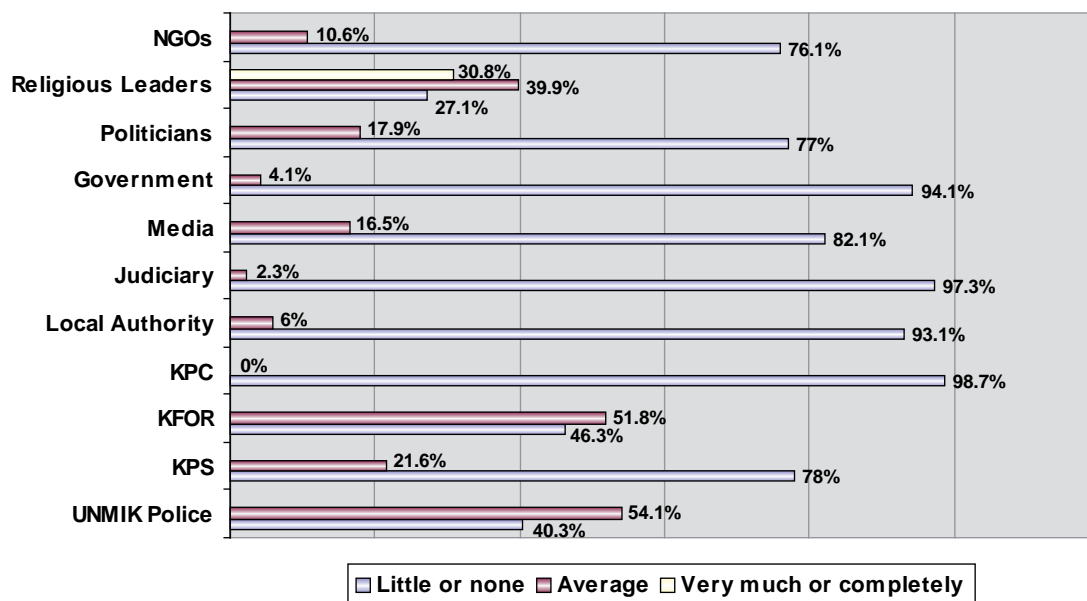


Figure 19: Kosovo-Serb levels of trust in various institutions (Base N = 218)

Several Kosovan respondents also perceived a number of the institutions listed above to have ties with organised crime groups. For instance, 14% of Kosovo-Albanians, 17% of Kosovo-Serbs and 19% of other minority groups stated that they had personally encountered apparent linkages between organised crime and the Customs Service, UNMIK Police and the KPS.¹⁰⁸

4.2.1 Perceptions of the KPS

The issue of KPS performance was discussed at length during focus groups, with the general consensus being that not only was the KPS inefficient, but that its officers were poorly trained and unwilling to proactively combat crime. Participants of only one focus group expressed a general level of satisfaction with the work of the KPS and this appeared to be related to the fact that the KPS officers in that respondent's community were well-known to the population.

A small number of Kosovo-Albanian focus group participants argued that the Serbian police had been more prepared to investigate SALW possession and proactively prevent violent crime than the KPS. This was a common and important perception from the focus groups, i.e. that the KPS seems unwilling to intervene or investigate violent incidents. It was generally believed that KPS officers were apparently more concerned with their own personal safety than contributing to increasing the overall safety of the community (see Box 2).

Box 2: Focus group participants' perceptions of the KPS

- 'It is possible to bribe the police with a coffee'. (Male, 48, Gllloboçicë/Globocica).
- A pizza order from a restaurant will reach you faster than the police' (Male, 23, Prishtinë/Priština).
- If one does not trust the KPS then unfortunately the only option is to carry a gun for your own protection'. (Female, 24).
- 'When have they ever solved anything? Never, nothing'. (Male, 59, Graçanicë/Gračanica).

Yet when questioned whom they would call if threatened with violence, 80.2% of HHS respondents selected the KPS:

¹⁰⁸ Op. cit., UNDP, Early Warning Report No. 12, p. 26.

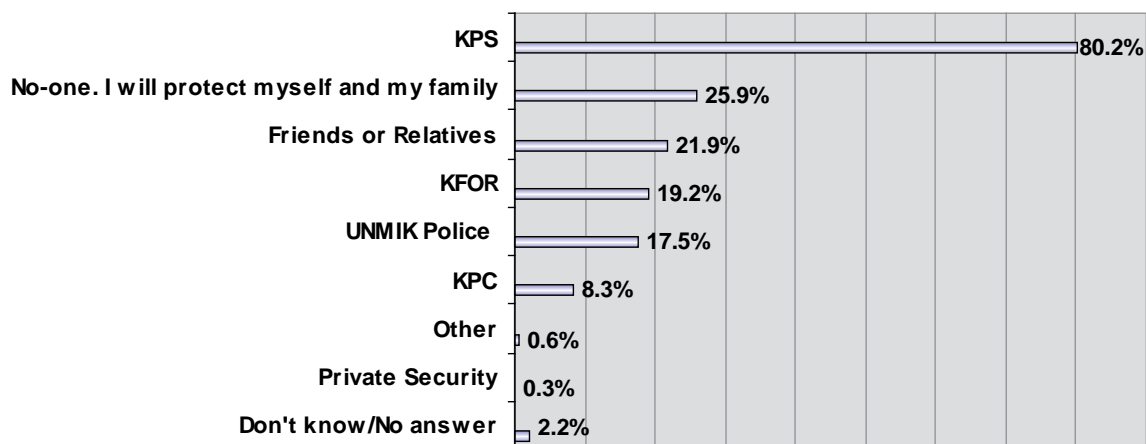


Figure 20: Who would you call if you or your family were threatened with violence?
(Multiple possible answers) (Base N = 1,258)

It is perhaps to be expected that the response to this question also varied according to ethnicity. 89.4% of Kosovo-Serbs consider the police to be either inefficient or very inefficient (see below), and it is reasonable to expect that a large proportion of HHS respondents considered this issue with the KPS in mind. However, despite this low level of confidence, 53.7% of Kosovo-Serb respondents would contact the KPS if threatened with violence. They would, however, be more likely to call UNMIK Police in such a situation (82.1%), with 53.2% preferring to request the help of their families and friends and 43.1% prepared to protect themselves.

Nevertheless, it remains that 78% of Kosovo-Serb respondents to the HHS place little or no trust in the KPS. Focus groups with Kosovo-Serbs suggest that this is due to a belief that the KPS care very little about their community. As one focus group participant remarked: *'what can you expect from them?... They would rather we were dead (gone).'*¹⁰⁹

In addition to specific questions relating to the KPS, the HHS included a more generic question aimed at gauging public perceptions of 'police' efficiency. When asked how efficient they considered the police to be, 9.9% of HHS respondents answered 'very efficient', 27.6% 'efficient', and 27.6% said 'neither efficient nor inefficient'. 19.6% of HHS respondents perceived the police to be 'inefficient', with a further 12.4% considering them to be 'very inefficient'. Kosovo-Albanian, Ashkali and Bosnian respondents had more positive impressions of the police, whilst Kosovo-Serbs had particularly negative perceptions, with 48.6% considering the police to be 'inefficient', and 40.8% perceiving them as 'very inefficient'.

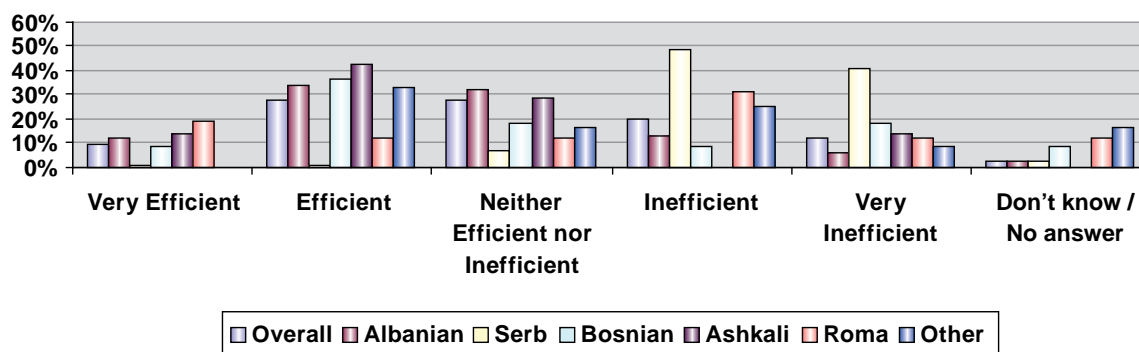


Figure 21: How efficient do you judge the police to be in solving crime and protecting people?
(Base N = 1,258)

¹⁰⁹ Focus group participant, female (43), Graçanicë/Graçanica.



4.2.2 Perceptions of international security providers

The international security providers, KFOR and UNMIK, elicited a range of responses when HHS respondents were asked to express their levels of trust in them. Overall, both seem to enjoy fairly positive perceptions in comparison with other institutions in Kosovo. However, Kosovo-Albanian respondents place greater trust in KFOR and UNMIK than do Kosovo-Serbs. Thus, 29.4% of Kosovo-Albanian respondents had complete or very high levels of trust in UNMIK, with only 5.5% of Kosovo-Serb respondents giving a similar assessment. Further, 72.5% of Kosovo-Albanians trust KFOR 'very much' or 'completely', compared to only 1.8% of Kosovo-Serbs. These results are significantly lower than the findings of a recent UN report, in which 90.3% of Kosovo-Albanians were reportedly 'satisfied' or 'very satisfied' with the work of KFOR, compared to 28.4% of Kosovo-Serbs.¹¹⁰ They also suggest that KFOR is the Kosovo-Albanians' 'preferred' international security provider. Conversely, Kosovo-Serbs generally expressed a high level of dissatisfaction with KFOR, but there are some indications that it might also be viewed as the only force capable of providing physical protection. However, in more than one KII, it was noted that although KFOR was perceived to provide protection to the Kosovo-Serb minority immediately following the 1998 - 1999 conflict, this trust was significantly damaged as a result of KFOR's perceived inaction during the March 2004 violence.

Despite the generally neutral or positive perceptions of the international security providers, focus group participants, especially Kosovo-Serbs, expressed the view that most international security providers were only in Kosovo for personal reward and gain. One participant summarised this viewpoint thus: *'they don't care about the local community. They don't know who is Albanian or Serbian. They don't even know why they are here'*.¹¹¹ Many Kosovo-Serb focus group participants suggested that the only body in which they would place a significant degree of trust is the Serbian military. The low levels of trust outlined above, and suggestions such as these, suggest that Kosovo-Serbs do not think that they have 'ownership' of Kosovo's current security providers.

4.2.3 Perceptions of the KPC

This perception may, in part, be explained by an accompanying belief, exhibited in both interviews and focus groups, that the KPC has access to a considerable quantity of undeclared SALW in addition to its limited active holdings and the larger reserve stocks that are well controlled by KFOR (see Section 2.2.2.4). While there appears to be no supporting evidence for such claims, the Office of the KPC Co-ordinator also noted a tendency in some Serbian media outlets to portray the KPC as a well-equipped 'army in waiting,' and urged caution with regards to such reports and the public perceptions that they may encourage.¹¹²

When questioned about the future of the KPC, fifteen percent of HHS respondents stated that they thought that the KPC should be disbanded, with 83.9% of all Kosovo-Serb respondents calling for the break up of the KPC. The fact that 87.2% of Kosovo-Serb respondents had no trust in the KPC, with a further 11.5% placing little trust in the body, helps to explain their lack of support for the KPC's continuation.

4.2.4 Perceptions of the judiciary

The relatively low levels of trust in Kosovo's institutions, such as local authorities and the judiciary (see Section 4.2), suggest that there is little public faith in the rule of law in Kosovo. Almost one fifth of respondents did not feel able to comment on the fairness of the judicial system and those who did give their opinion on this matter expressed fairly polarised views. Thus, although 28.5% of respondents considered the courts to be neither fair nor unfair, 17.7% of respondents perceived Kosovo's judges and courts to be unfair, with a further 14.5% deeming them very unfair. While Kosovo-Serbs, when they expressed an opinion, had particularly negative attitudes towards the judicial system, Ashkali respondents were extremely positive in their assessments.

¹¹⁰ Op. cit., UNDP Early Warning Report No. 12, p. 25.

¹¹¹ Focus group participant, male (59), Gracanice/Gracanica.

¹¹² Interview, Lt Col Iain Macdonald, Office of the KPC Coordinator, 09 March 2006.

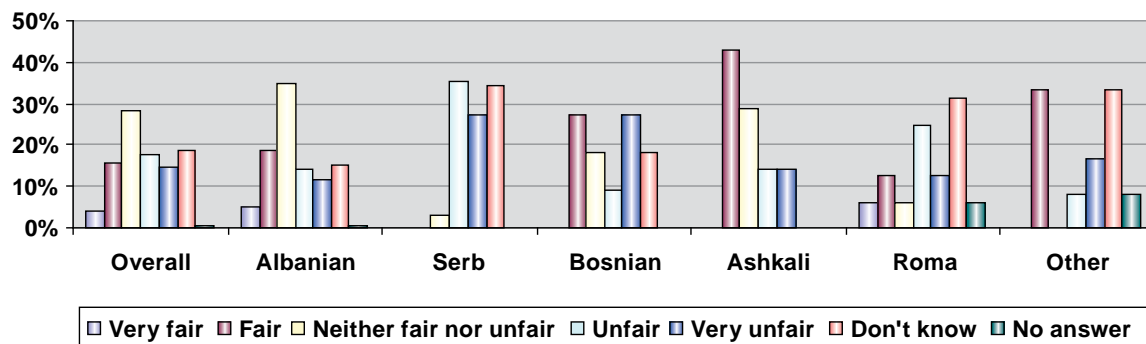


Figure 22: How fair do you consider the judges and courts to be? (Base N = 1,258)

The general level of disillusionment with the judiciary is also probably due to perceptions of pervasive corruption within the court system. Of those HHS respondents who stated that the courts were 'unfair' or 'very unfair', 67% considered corruption to be the greatest challenge for the judiciary in Kosovo. For 76.9% Kosovo-Albanian respondents, corruption was the main challenge, a view shared by 53% Kosovo-Serbs. Overall, 40% of respondents perceived the courts to be subject to undue political interference, with 51.5% of Kosovo-Serb respondents concerned with this problem, compared with 33.7% of Kosovo-Albanians. A further 36.2% of respondents perceived incompetence as the greatest challenge for the judicial system.

4.2.5 Security providers and border management

Focus groups revealed that border region inhabitants were particularly sensitive to a range of security issues, with the cross-border activities of criminal gangs cited as the main cause of concern. Accompanying this is an assessment by many participants that such insecurity presents a legitimate reason for those in border regions to be armed. The question of who should be trusted to guard Kosovo's borders is therefore of obvious relevance when examining the perceptions of security providers within Kosovo.

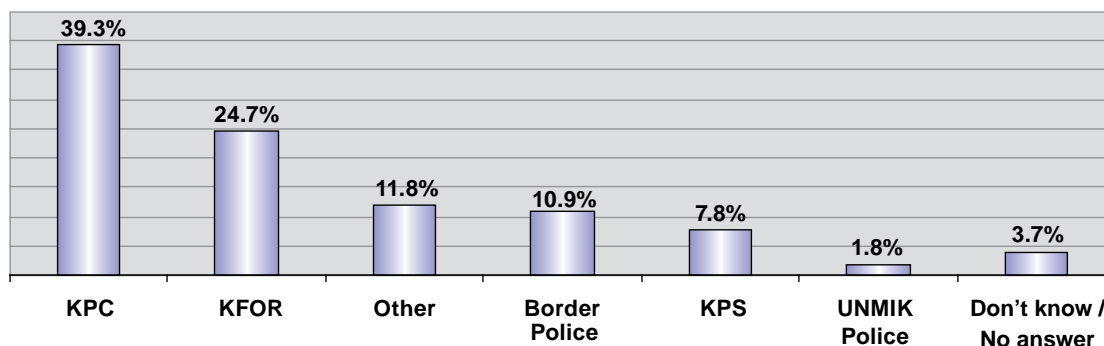


Figure 23: Who would you trust to guard Kosovo's borders? (Base N = 1,258)

HHS results indicate that the KPC is the institution most trusted to provide border security, followed by KFOR. Of particular concern is the fact that the Border Police were trusted with this role by only 10.8% of respondents. Yet again, a more diverse pattern emerges when these responses are broken down by ethnicity.

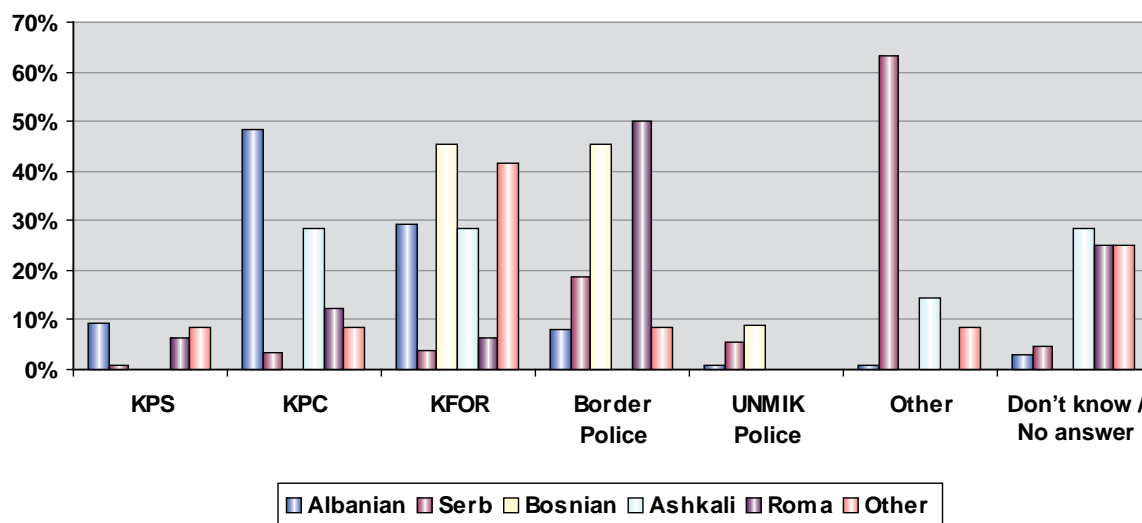


Figure 24: Who would you trust to guard Kosovo's borders? (By ethnicity) (Base N = 1,258)

While the KPC was chosen as the preferred border security service by 48.5% of Kosovo-Albanians, 63.3% of Kosovo-Serb HHS respondents stated that they would prefer an institution 'other' than the KPS, KPC, KFOR, Border Police or UNMIK to protect Kosovo's borders. If the HHS respondents were of a similar mindset to the Kosovo-Serb participants in the focus groups, then one would assume that this 'other' institution would be the Serbian military or security forces. This further strengthens the argument that the Kosovo-Serb minority does not feel as if its interests are represented by the current officially sanctioned security actors in Kosovo.

Despite the poor levels of trust placed in the KPS with regards to border security, a number of focus group participants thought that this should be the responsibility of the police, citing EU regulations on border security as the reason for this.¹¹³ However, both in border regions and amongst Kosovo-Albanian focus group participants more generally, the KPC was cited as the most appropriate institution to carry out border security functions. Once again, it would appear that the different ethnic groups prefer the security provider that appears to most closely match their group's composition and interests. Such a polarisation of opinion and feelings in relation to 'our' and 'their' security providers will undoubtedly hamper efforts to guarantee border security in the short to medium term.

4.3 Perceptions of a Kosovan 'gun culture'

There is a widely held assumption that the men of SEE, and Albanians in particular, have a strongly developed and pervasive gun culture.¹¹⁴ The *Kanun*, the customary method of maintaining law and order used for several centuries in northern Albania and Kosovo, is often used to explain the presumed current Albanian, and Kosovo-Albanian attachment to SALW, as it makes numerous references to SALW and their use.¹¹⁵ Despite these assumptions, the HHS results for this research suggest that SALW do not play a significant role in everyday Kosovan life, (though the more open and confident discussion engendered by focus groups suggested a more significant prevalence of SALW use than the negligible one indicated in the HHS). However, a substantial majority of focus group participants stated that they had heard gunshots in their neighbourhood, usually considering these to be the result of celebratory shooting and one focus group participant suggested that the use of SALW in this manner '*points to nothing but a culture, a way in which this particular person was raised, as to how he perceives the joys of life*'.¹¹⁶ However, results of the HHS challenge a view of 'gun culture'; only one percent of

¹¹³ For example, focus group participant, male (22), Businessperson.

¹¹⁴ For an in-depth analysis of this assumption, see Small Arms Survey, *Small Arms Survey 2005: Weapons at War*, (Oxford, 2005) pp. 205-227; Gounev, P. et al., '*The rifle has the devil inside*': *Gun Culture in South Eastern Europe*, (SEESAC, 2006).

¹¹⁵ For a more detailed discussion, see *op. cit.*, Khakee, A. and Florquin, N., p. 31.

¹¹⁶ Focus group participant, male (23) Prishtinë/Priština. For further discussion of celebratory shooting, see Section 4.5.



respondents said that they would choose to own a firearm due to the logic that ‘everyone has one’ and an even smaller proportion (0.9%) thought that one might purchase a firearm in an attempt to increase self-confidence.

Box 3: Focus group discussion participants’ attitudes towards ‘gun culture’

- ‘We have always had arms and we can never stop’. (Male, Glllogoc/Glogovce).
- ‘In Kosovo, if you do not have a son and a gun, it is the same as if you have nothing. Here people are not people if they do not have weapons. And when you have one, you also have problems. That is how it is’. (Male, 59, Graçanicë/Gracanica).
- ‘One can live in a very safe environment but still feel unsafe. There is this ruling in Hobbesian philosophy: I shoot you before you shoot me’. (Male, 23, Prishtinë/Priština).
- ‘People must understand that the firearm is the most preferred toy for a Kosovo person, regardless of his beliefs’. (Male, 38, Graçanicë/Gracanica).
- ‘I think that this is the biggest problem with Albanians. We see it as more morally right to kill someone than report it to the police’. (Male, 20).
- ‘We, since the times when the Albanian nation was created, did not live without arms. Now has come the time when we should not use them’. (Male, 72, Prishtinë/Priština).

For some commentators, the recent armed conflict in Kosovo has contributed to a (re)creation and maintenance of a Kosovan ‘gun culture’.¹¹⁷ The echoes of war in contemporary life have inevitably resulted in an elevated number of SALW and, like in many other areas of the world, this probably has an effect on youth culture. Whilst the 26 - 35 and 36 - 65 age groups were perceived to be the primary SALW holders in Kosovo by more than half of all HHS respondents (28.2% and 28.6% respectively), 16.6% of HHS respondents perceived weapon ownership to be greatest amongst those within the 19 - 25 age group, a viewpoint shared by several focus group participants. The rationale for this selection may, in part, stem from a belief that the young people of Kosovo want to emulate their ‘war heroes’, an argument developed in a recent ICG study.¹¹⁸ However, these perceptions are not supported by responses from the HHS’ younger respondents.

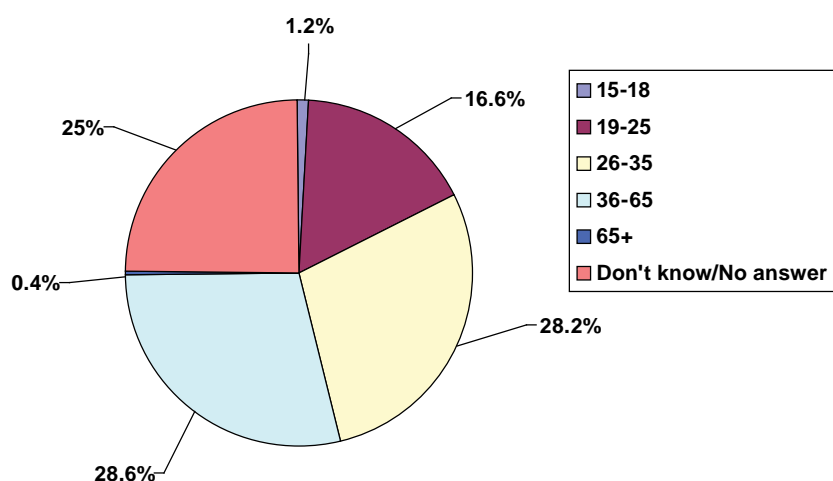


Figure 25: In what age group do you think firearms are most common? (Base N = 1,258)

Whilst the data available has indicated a wide range of opinions and perceptions regarding a so-called ‘gun culture’, it is not possible to establish a generalised sense across those interviewed that this is in evidence in Kosovo. This is especially so considering that the incidents of celebratory shooting highlighted by participants may not be considered by participants to be a ‘small arms issue’. Further, though some areas of Kosovo are

¹¹⁷ *Op. cit.*, Small Arms Survey, pp. 205-227.

¹¹⁸ ICG, *Kosovo After Haradinaj*, 26 May 2005, p. 7. Available at: http://www.crisisgroup.org/library/documents/europe/balkans/163_kosovo_after_haradinaj.pdf accessed 29 May 2006.

naturally more heavily armed than others, this is probably more a reflection of the history of conflict, rather than an engrained Kosovan-Albanian gun culture. Without a much more detailed analysis of attitudes in this area, the existence or otherwise of such a phenomenon is impossible to ascertain.

4.4 Perceived distribution of SALW

4.4.1 Perceptions of community and individual possession

The HHS and focus group revealed a wide range of opinions regarding SALW ownership in Kosovo: 89.1% of HHS respondents stated that their household did not have a firearm, with 79.5% of respondents also stating that they did not know anyone who owned a firearm. However, while two-thirds of respondents were unwilling to give an estimate for the proportion of houses in their neighbourhood with firearms, 12.1% of HHS respondents asserted that there were no households with firearms in their neighbourhood. Therefore, while the overwhelming majority of HHS respondents suggested that they knew of no one who possessed a firearm, they still believed that there were SALW in their community. Focus group respondents were also evasive when asked to discuss personal possession of firearms in their homes and in their communities.

Only 8.2% of HHS respondents admitted that their household kept a firearm, with a small number of focus group participants also stating that they kept a firearm at home. Most focus group firearms-owners stated that they kept their weapon for self-protection, although veterans of the conflict thought that those who had fought should be allowed to keep their weapon as 'a trophy'. Focus group participants were also more willing to state that they knew somebody who owned a firearm and thus focus group results would appear to correlate with the HHS finding that only 14.9% of respondents could confidently state that there were no firearms in their community. Just over a third of HHS respondents (36.1%) were unwilling to describe the firearm situation in their community.

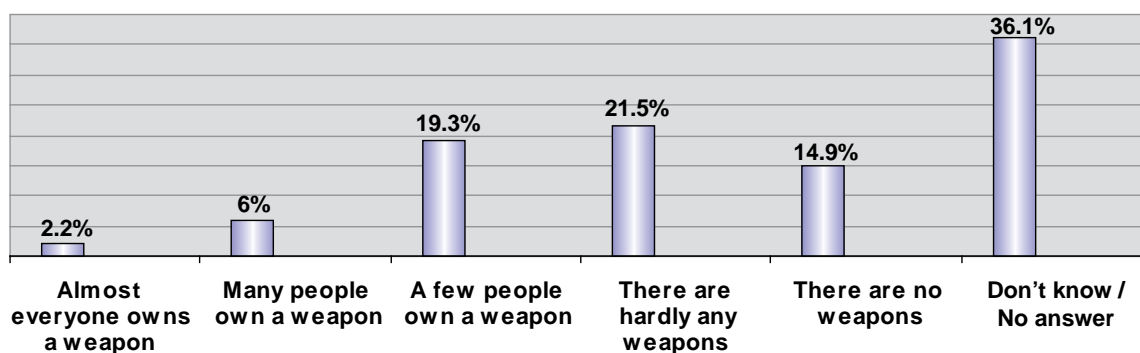


Figure 26: How would you describe the number of firearms in your community? (Base N = 1,258)

It is worth noting that all of the HHS respondents who agreed with the statement that 'almost everyone (in my community) owns a weapon' were Kosovo-Albanians. Further, all but two of those agreeing with the description that many people owned a SALW in their community were Kosovo-Albanian.

When questioned where they saw people carrying firearms, almost three-quarters of respondents either did not answer, or stated that they did not know or never saw people carrying firearms in Kosovo:

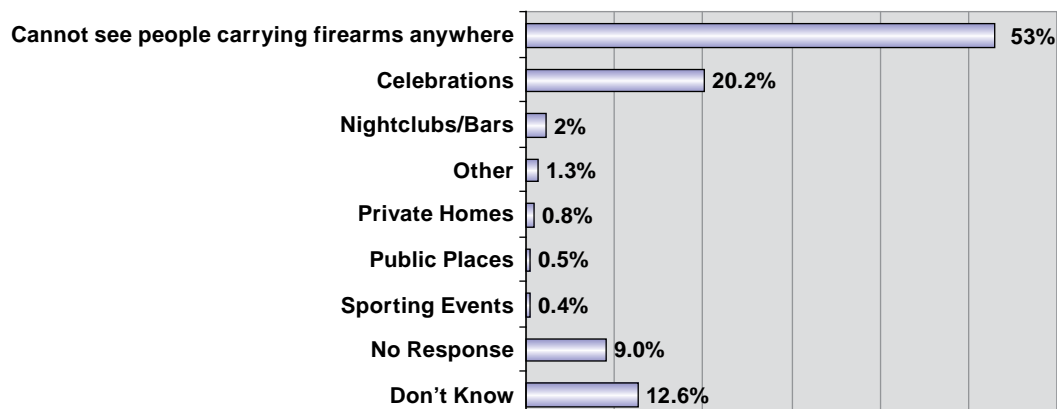


Figure 27: Where are you most likely to see people carrying firearms in your neighbourhood (excluding police or KFOR officers)? (Base N = 1,258)

However, 20.2% of respondents stated that they saw firearms at celebrations. It would therefore appear that several of the 85.2% of those HHS respondents who stated that they never saw civilians carrying firearms in Kosovo suddenly recalled an incident in which they had seen people carrying firearms in their neighbourhood when it came to answering this particular question.

When HHS respondents were questioned about regions of Kosovo they thought may have a high proliferation of SALW, Pejë/Peć (20.5%) and Drenice/Drenica (10.4%) were the most popular responses. This perception is partially supported by official statistics, with SALW used in the perpetration of criminal offences most frequently seized in the Pejë/Peć region, followed by Prishtinë/Priština. However, whilst Glogoc/Glogovac was considered by HHS respondents to be one of the least armed areas of Kosovo, 25.9% of the 4.1% of HHS respondents who reported seeing firearms in their community on a daily basis were located in Glogoc/Glogovac.

One of the key findings of the HHS is that more than a third of respondents (38.7%) considered the number of firearms in their community to have either decreased or significantly decreased since 2003. Less than five percent of respondents thought that the number of SALW had increased, although it is advisable to treat this with caution as 43.3% of respondents stated that they 'did not know' or did not answer this question:

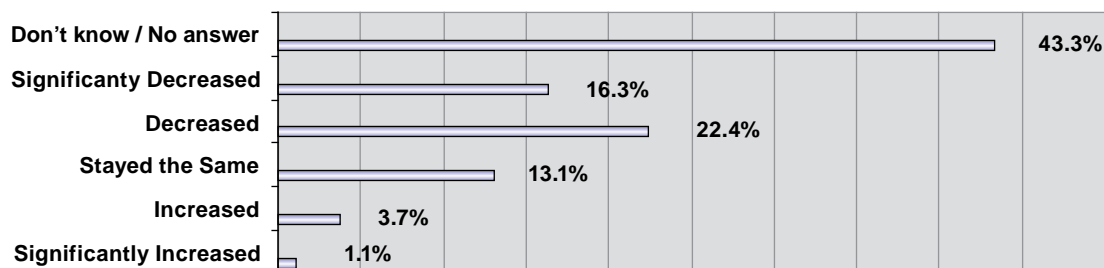


Figure 28: How do you think that the number of firearms in your neighbourhood has changed compared to three years ago? (Base N = 1,258)

This point can be generalised, and is crucial; the inevitable sensitivity that accompanied the questions regarding SALW ownership and possession in the HHS is a significant factor when considering the large degree of unwillingness of participants to divulge information, and the largely contradictory data that was produced by those who were. This can also, in part, be used to explain the large discrepancies between perceptions indicated by focus groups, the HHS and KIs. A deeper understanding of public attitudes and perceptions towards SALW might however be attained through follow-up research, using qualitative research methods more extensively.

4.4.2 Gun owners and types of weapon

Discounting the security forces, criminal groups were seen as the primary holders of firearms in Kosovo by a large majority of HHS respondents (63.5%). The proportion of Kosovo-Serb respondents who thought that war veterans were the most significant group of gun-owners in Kosovo was 18.8%, significantly higher than the overall level of 5.9%.

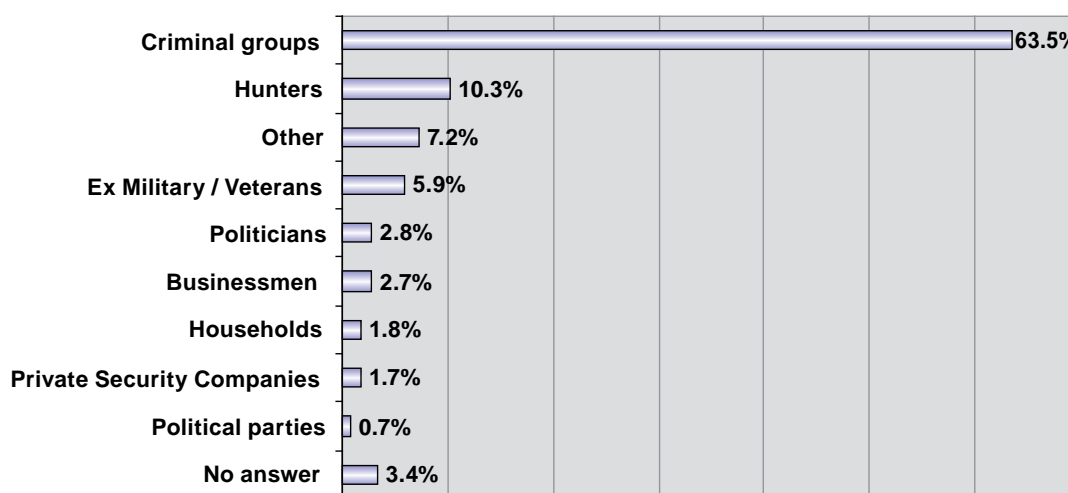


Figure 29: In your opinion, besides the security forces, who do you think has the guns? (Base N = 1,258)

Kosovo-Albanian focus group participants appear to believe that most illicit SALW in Kosovo are in the possession of Kosovo-Serbs or are concentrated in areas where Kosovo-Albanians are 'under threat from the Serbs', such as Drenice/Drenica, Podujevë/Podujevo, Pejë/Peć, or Graçanicë/Gračanica.¹¹⁹ A mirrored perception was held by Kosovo-Serb focus group participants, who conceded that all SALW types were to be found in all ethnic groups and all regions of Kosovo, but who still thought that there was a higher level of gun-ownership amongst Kosovo-Albanians.

Almost half of all HHS respondents thought that SALW-owning people in their neighbourhood possessed pistols/revolvers (46.7%), with a similar percentage considering hunting rifles (42%) to be the most common.

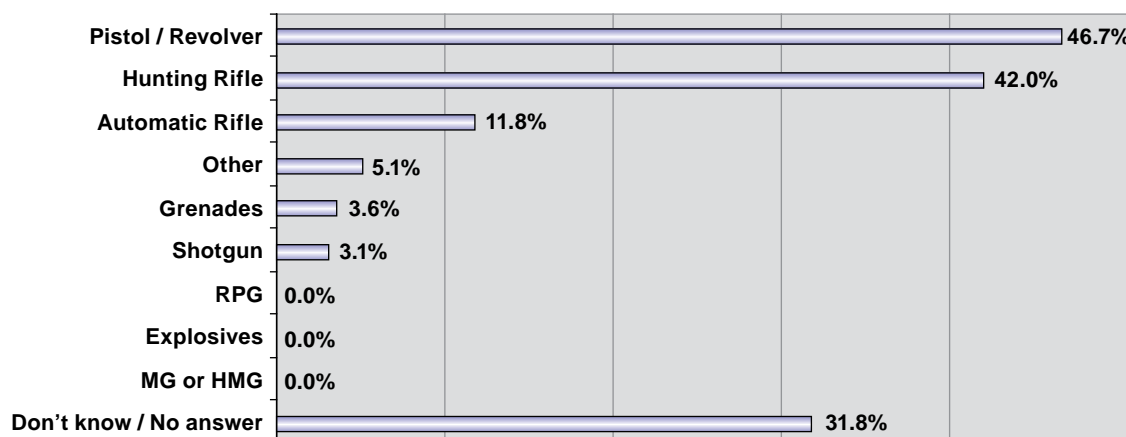


Figure 30: What type of firearms do people from your neighbourhood have? (Multiple possible answers) (Base N = 195)

¹¹⁹ Focus group participant, male (22), Businessperson.



It is unclear from the HHS data whether this perceived preference for pistols/revolvers amongst Kosovo's firearms-owning population is related to criminal or self-protection activities, two of the most common reasons for handgun possession. The fact that 11.8% of respondents also considered automatic rifles to be in the possession of their neighbours suggests that many SALW from the conflict remain in civilian possession. This is a situation that would appear to be supported by sections of the Kosovo-Albanian community, which deem 'trophy weapons' for war veterans to be acceptable according to participants of the War Veterans' focus group held for this research.

4.4.3 Licences and illegal SALW

Focus group participants thought that because it is very difficult, if not impossible, to purchase a weapon legally, the majority of SALW in Kosovo must have been obtained illegally. This perception is also reflected in the HHS results, where 51.1% of respondents stated that less than a quarter of firearms were legally owned. As with other questions relating to firearms possession, a significant proportion of respondents refused to answer or preferred not to express an opinion (40.5%).

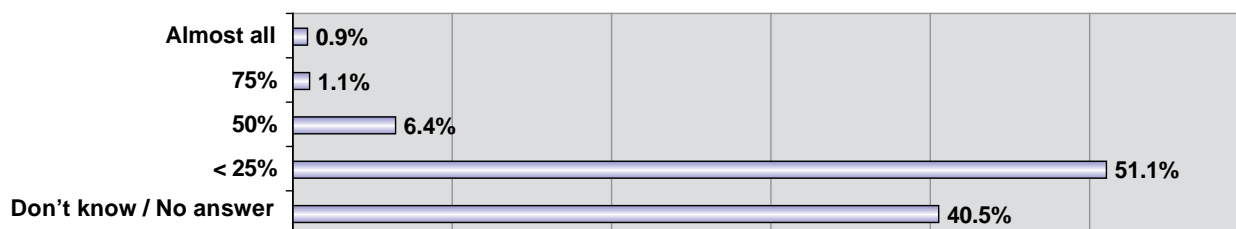


Figure 31: In your opinion, how many of the firearms in private possession are legally held?
(Base N = 1,258)

While almost a third of HHS respondents did not know about, or were unwilling to express an opinion on the reasons for illegal firearms possession, 18.1% thought that people did not want to be officially recorded as possessing a firearm. 28.9% of Kosovo-Serb and 18.2% of Bosnian respondents considered a feeling of discomfort when registering SALW with the police to be one of the main reasons for illegal possession, although only 5.1% of Kosovo-Albanians gave this response (which is perhaps indicative of the lower levels of confidence in the KPS to be found amongst the Kosovo-Serb population).

Another significant difference between Kosovo-Albanian and Kosovo-Serb responses relates to the inheritance of firearms. While 12.5% of Kosovo-Albanian respondents thought that this was a key factor in decisions not to register a firearm, only 0.9% of Kosovo-Serb respondents selected this factor. A Kosovo-Albanian focus group participant stressed that although he did not personally like firearms, his household possessed a firearm because: *'in our family, it is a tradition'*.¹²⁰

The majority of reasons for illegal possession given in the figure below suggest that HHS respondents thought that it would not be in the interests of those in possession of firearms to register their ownership. This is a finding echoed in the Serbia SALW Survey, where 34% of HHS respondents stated that they did not wish to be recorded as firearms owners.¹²¹

¹²⁰ Focus group participant, male (22), Businessperson.

¹²¹ *Op. cit.*, Taylor, Z. et al., p. 44.

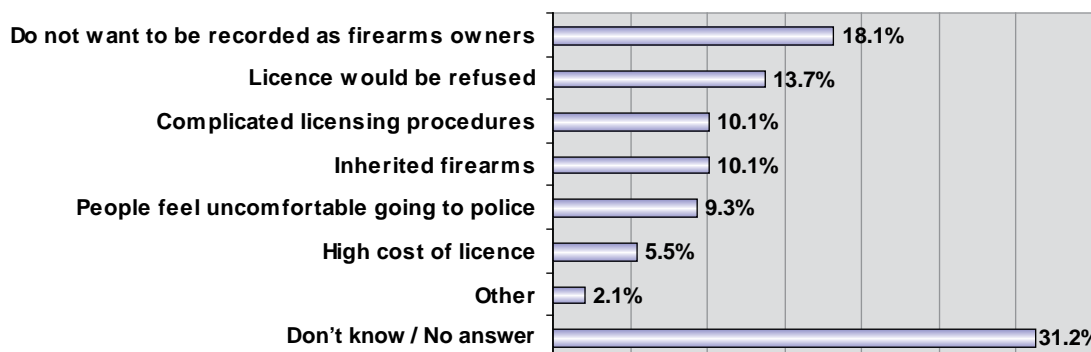


Figure 32: In your opinion, why do people choose to illegally possess guns? (Base N = 1,258)

Just over half of HHS respondents (51.1%) thought that more than three quarters of the firearms held in Kosovo were unregistered. However, when asked how they themselves would purchase a weapon, HHS respondents were less willing to provide an answer. This is perhaps unsurprising given the degree of suspicion and discomfort with which some questions relating to SALW ownership were met. Whilst the issue was not discussed in great detail during the focus groups, participants appeared to suggest that it is easy to obtain a firearm despite the legal restraints since they are widely available on the illicit market.

4.5 Attitudes towards SALW possession and use

The overwhelming majority of HHS respondents (70.0%) stated that they would not acquire a weapon even if they were able to do so. For 82.7% of these respondents, this disinterest stemmed from the fact that they did not like guns, with just over a quarter stating that they did not feel the need for one (26.8%). Focus group participants also blamed civilian-owned firearms for a number of society's ills. The perception of SALW ownership as both a cause and effect of insecurity was summarised by one participant who stated: *'if you want to destroy a population, allow them to keep arms'*.¹²²

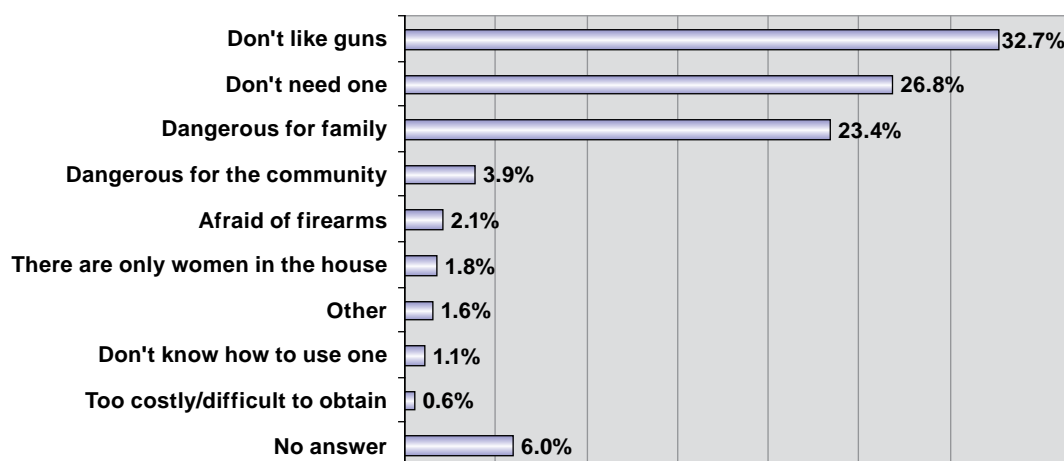


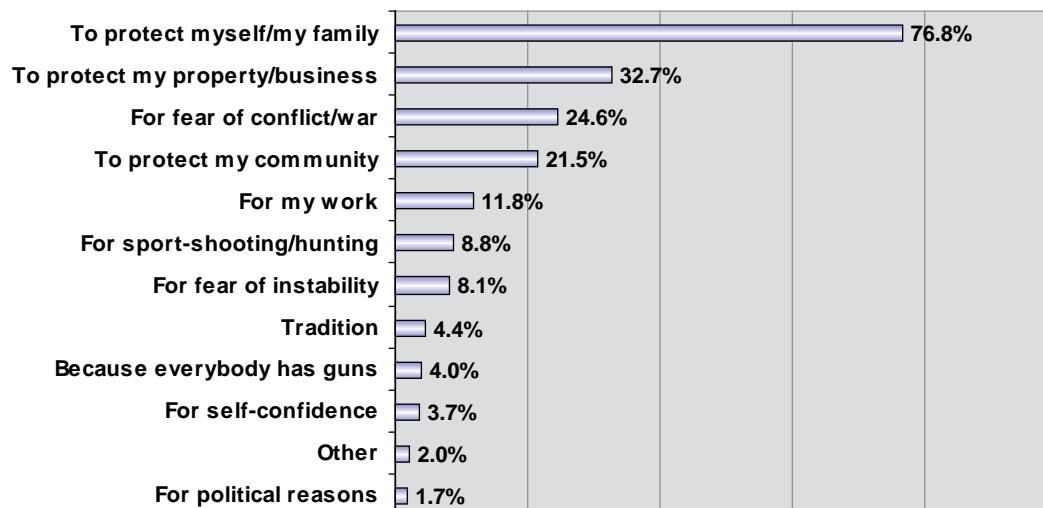
Figure 33: Why would you/your family choose not to own a firearm? (Base N = 961)

However, of the 23.6% of HHS respondents who said that they would acquire a firearm if it were possible to do so, 76.8% cited the need to protect themselves and their family as the main motivating factor. This finding is reinforced by the fact that around a quarter (24.1%) of all HHS respondents thought that possession of firearms

¹²² Focus group participant, male, Pejë/Peć.



would increase their levels of safety. Though comparable to the corresponding statistic in Serbia, this figure is higher than the 13.3% of Moldovan respondents who considered civilian firearms possession necessary.¹²³



**Figure 34: What is the main reason you/your family would choose to own a firearm?
(Multiple responses) (Base N = 297)**

The second most popular choice, 'protection of property and business', was selected by 32.7% of respondents, increasing to 52.2% amongst wealthier respondents. Protection of business was also the second most popular choice in research undertaken by the Centre for Rural Studies in Albania (8.2%) and the third most popular choice in the Serbia SALW Survey (32%).¹²⁴

Whilst 22.6% of Kosovo-Albanians questioned for the HHS stated that they would acquire a firearm if they were able to, a larger proportion (28.9%) of Kosovo-Serbs felt the same way. Further, Kosovo-Serb HHS respondents (32.6%) were significantly more likely than Kosovo-Albanians (15.1%) to cite self-protection as a reason for owning a firearm, possibly due to the increased sense of insecurity within this population group. The response of 'community protection' also produces a similar pattern: 25.7% of Kosovo-Serb respondents cited this as a main motivating factor for owning a firearm, compared to just 0.6% of Kosovo-Albanians. Kosovo-Serb HHS respondents were also more likely to justify SALW ownership by referring to a fear of future conflict: 22.5% cited this as a significant motivation as opposed to 2.1% of Kosovo-Albanians. However, a minority of focus group participants perceived the uncertain political future of Kosovo as a reason why citizens should *not* possess SALW: 'if Kosovo were to be a safe country, it would be normal for some to possess arms. But the current situation is very complex and the possession of arms is therefore dangerous'.¹²⁵

Although the majority of focus group participants believed that civilians should not generally possess SALW, several argued that civilian firearms possession could be justified for those inhabiting border regions. Although this position was justified by concerns with cross-border criminal activities and gangs, it could also have been influenced by fears of conflict.

Although celebratory shooting is believed by HHS respondents to be the most common form of firearm discharge (78%), it also seemed to be an unpopular form of celebration with 83.9% of respondents stating that they disliked, or extremely disliked the practice. Only 5.5% of respondents reported liking it or liking it very much. Focus group participants expressed concerns that because this practice was regarded as part of the 'heritage' of Kosovans, it would continue in future generations.

¹²³ Op. cit., Taylor, Z. et al., p. 44; op. cit., Wood, D. et al., p. 66.

¹²⁴ Center for Rural Studies, *United Nations Development Programme Small Arms and Light Weapons Project: Socio-economic Analysis and Impact Assessment* (Tirana, 2002), Table 38. Op. cit., Holtom, P. et al.; op. cit., Taylor Z. et al., p. 44.

¹²⁵ For example, focus group participant, male (23), Prishtinë/Priština.

Furthermore, the vast majority of HHS respondents believed that illegal SALW proliferation poses a threat to the future prosperity of Kosovo (87%), with only 6.6% believing that it did not.

4.6 Attitudes towards domestic SALW Control

More than half of HHS respondents thought that additional controls on firearms would increase safety in their community.

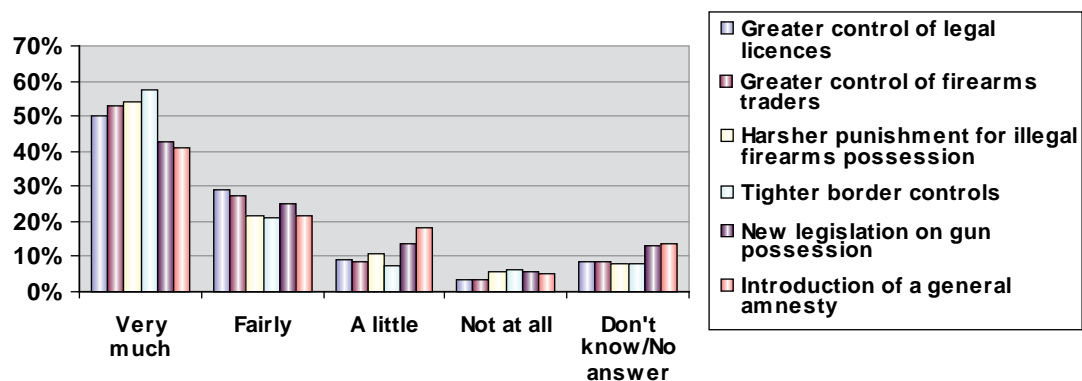


Figure 35: How much do you think each of the following will increase safety in [respondent's town]? (Base N = 1,258)

4.7 Attitudes towards SALW Collection

As previously noted, voluntary SALW Collections in Kosovo have not resulted in the surrender of significant numbers of firearms. According to 39.6% of HHS respondents, fear of conflict and instability is the main cause for the civilian population's reluctance to surrender its SALW. Focus group participants also explained that voluntary surrender of SALW will not take place in earnest until people feel more secure and the prospect of conflict has significantly diminished. Further, 26.6% of HHS respondents suggested that a lack of trust in security providers is the primary factor for such low surrender rate.

While just over a third of HHS respondents felt that a future amnesty from prosecution for owners of illicit SALW would prove either successful or very successful (35.1%), a fifth of HHS respondents thought that it would either be unsuccessful or very unsuccessful (21.2%). Pessimism was most prevalent amongst the Kosovo-Serb respondents, with 46.8% stating that any future amnesty would either be unsuccessful or very unsuccessful.

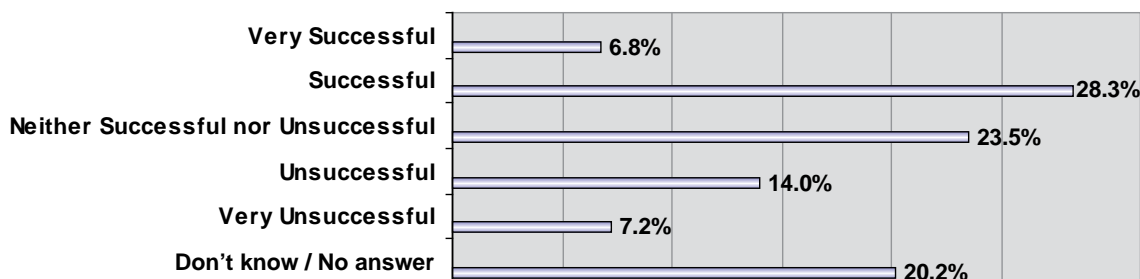


Figure 36: How successful do you think a future weapons amnesty would be...? (Base N = 1,258)

Almost half of the HHS respondents believed that the success of future amnesties is dependent upon the resolution of Kosovo's final status (47.2%), with just over a third of respondents linking the success of future amnesties to an improvement in the economic situation (36.9%). Almost all focus group participants stated that SALW Collection programmes or amnesties would continue to fail until Kosovo's final status was decided. In contrast, incentives and pro-active efforts by community leaders did not elicit particularly positive feelings



from the HHS respondents. Although a number of focus group participants supported community development projects, lotteries and financial rewards as a means of helping to collect greater numbers of illegally-held SALW from civilians who are not involved in criminal activities, Kosovo-Serb participants questioned how this would work in practice.

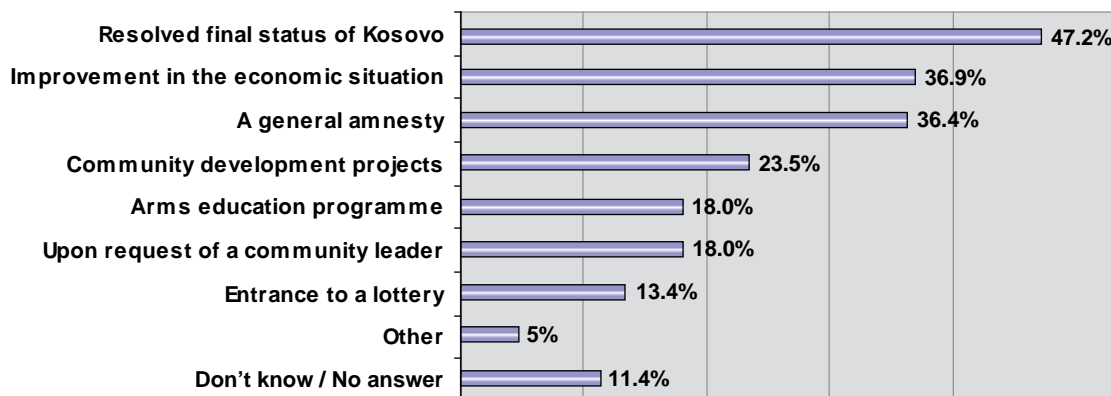


Figure 37: In your opinion, which of the following would best stimulate people in your community to hand in their illegal weapons? (Base N = 1,258)

Almost a third (29.9%) of HHS respondents considered that an amnesty administered by the KPC would be the most successful. This opinion was not as popular among Kosovo-Serbs, with only one Kosovo-Serb HHS respondent selecting the KPC as the organisation best suited to administering an effective SALW Collection programme. Every Kosovo-Serb focus group participant stated that they would prefer to surrender unregistered SALW to the Serbian army or police, though several stated that they would consider KFOR as an alternative. However, Kosovo-Serb HHS respondents looked more favourably upon the use of celebrities, religious leaders and political parties in the SALW Collection process than their Kosovo-Albanian counterparts.

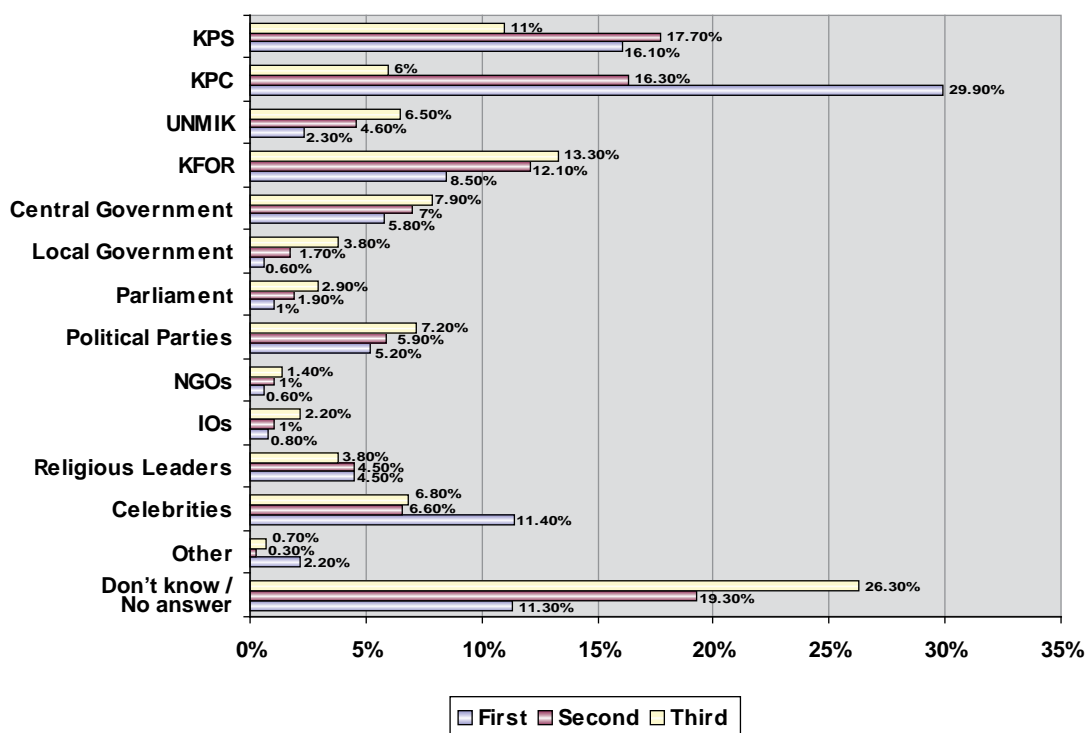


Figure 38: Which of the following would be best placed to get people to surrender their weapons? (Ranked 1-3) (Base N = 1,258)

5 Small Arms Capacity Survey

5.1 International and regional standards on SALW Control

During the last decade, an interlocking set of agreements, treaties and customary norms have emerged which either directly address the issue of SALW Control, or have an important bearing upon it. While the United Nations has arguably functioned as the leading international forum for the development and adoption of common understandings and instruments to combat the proliferation and destabilising accumulations of SALW since the mid 1990s, a range of authoritative standards have emerged from other fora that are either supplementary, or complementary to those of the UN. The table below lists the main international and regional SALW Control standards in question.

INTERNATIONAL INSTRUMENT	DETAILS
EU Code of Conduct on Arms Exports	08 June 1998
EU Joint Action on SALW	EU Council Joint Action on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons and repealing Joint Action 1999/34/CFSP, (2002/589/CFSP), 12 July 2002
EU Strategy to Combat Illicit Accumulation and Trafficking of SALW and their Ammunition	Council of the European Union 5319/06 of 13 January 2006, (adopted 15-16 December 2005)
OSCE Document on SALW	FSC.JOUR/314, 24 November 2000
OSCE Document on Stockpiles of Conventional Ammunition	FSC.DOC/1/03, 19 November 2003
OSCE Decision on Man-Portable Air Defence Systems (MANPADS)	Decision No. 7/03, FSC.DEC/07/03, 23 July 2003
OSCE Decision on End User Certificates and Verification Procedures for SALW Exports	Decision No. 05/04, FSC.DEC/5/04, 17 November 2004
OSCE Decision on Principles for the Control of Brokering in SALW	Decision No. 08/04, FSC.DEC/8/04, 24 November 2004
Stability Pact Regional Implementation Plan - Combating the Proliferation of SALW	28 November 2001, revised May 2006
Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, Elements for Export Controls of Man-Portable Air Defense Systems (MANPADS)	Agreed at the WA Plenary, 01 December 2000
Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, Elements for Effective Legislation on Arms Brokering	Agreed at the WA Plenary, 2003
Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, Best Practice Guidelines for Exports of SALW	Adopted at the WA Plenary, 11-12 December 2002
Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (UN Firearms Protocol)	Entered into Force on 03 July 2005
United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects ³	UN Document A/CONF.192/15, July 2001

Table 30: International agreements on SALW Control

¹²⁶ Also, the related Open-Ended Working Group on Tracing Illicit Small Arms and Light Weapons (OEWG) and Broad-Based Consultations on Arms Brokering Controls.



These agreements, together with guidelines and standards designed to aid implementation at the operational level such as the OSCE Best Practice Guides, NATO Allied Ammunition Storage and Transportation Publications (AASPT) 1 and 2 and SEE Regional Micro-Disarmament Standards/Guidelines (RMDS/G), provide good guidance for policy-makers in South Eastern Europe and elsewhere on the control functions required of national institutions.

5.1.1 Kosovo legislative and regulatory framework

Law-making and legal supervision in Kosovo are presently accomplished through a confused array of actors and processes. On the most basic level, the 2001 Constitutional Framework for Kosovo provides the basic framework for all law-making in Kosovo. It is however, the Office of the SRSG that promulgates all primary legislation (UNMIK Regulations) and secondary 'Administrative Directives'. When considering the introduction of legislation on more controversial or difficult matters, UNMIK will also seek the advice of the Department of Peacekeeping Operations (DPKO), Department of Political and Legal Affairs (DPLA) and ultimately the approval of the UN Secretariat in New York. Since its creation in 2001, the Assembly of Kosovo, a PISG institution, has been able to debate, develop and adopt legislation, provided it does not exceed its competencies and consider 'reserved power' areas that fall within the responsibility of the international administration. Despite having this role, laws developed within the Assembly of Kosovo must subsequently be signed-off by UNMIK before it comes into force. In all of the above, UNMIK's legal department, the Office of Legal Affairs (OLA), plays a leading role. Lastly, though it is often confusing and controversial, Yugoslav law may, at times, apply to matters where regulations have not yet been developed.

Although provision has been made in some cases for inclusion of UN administration representatives to participate in some fora (e.g. Regional Steering Group, UN Review Conference), Kosovo's current status as an internationally-administered territory means that it is not eligible to accede or adhere to the majority of the agreements listed above. However, given that this collection of norms, guidelines and agreements represents the emerging consensus and agreed best practices for SALW Control, it follows that an effective regulatory framework to control SALW in Kosovo should, at an absolute minimum, closely follow the guidance that these documents and fora collectively provide.

In line with both the priorities of the ISSR, which takes a functional approach towards analysis of security issues, and the standard UNDP-SEESAC research methodology for SALW Surveys, which requires an assessment to be made of indigenous capacities to achieve adequate SALW Control, this Section of the report considers the capacity and readiness of all relevant actors within Kosovo to control those SALW falling within their jurisdiction, broken down across the functional areas listed below:

- **Production:** Regulation and maintenance of adequate controls and records on the manufacture of SALW;
- **Internal trade:** Regulation and maintenance of adequate controls and records over the trade in SALW within national (or juridical) territory;
- **Possession and use of SALW:** Ensuring that the acquisition and use of SALW by all individuals and groups under the jurisdiction of the territory (both state and non-state actors) is regulated in line with national values and policies, providing for the legitimate defence and security needs of institutions and individuals without allowing a destabilising internal accumulation and proliferation of SALW and/or uncontrolled armed crime or societal violence;
- **Stockpile management:** Maintenance of safe and secure SALW and ammunition stockpile management procedures, including the completion of routine inventories;
- **Information management:** Developing or enhancing national mechanisms for the collection, analysis and dissemination of data on armed violence;
- **Education and SALW Awareness:** Developing and implementing targeted national and community-based public information and awareness campaigns on the risks associated with inappropriate SALW use and possession;

- **SALW Collection programmes:** Conducting safe, secure and successful collections and seizures of SALW;
- **SALW Destruction programmes:** Adopting national policies for determining surpluses of SALW, ammunition and explosives, and subsequently implementing destruction programmes to safely dispose of recovered or surplus SALW, ammunition and explosives in accordance with international best practices and environmental protection issues;
- **International transfer control and border management:** Establishing and maintaining an effective system for the control of SALW export, import, brokering, transit and transshipment including elements such as controls over end-use. For enforcement purposes, law enforcement authorities, including the police, customs and border control, must also work effectively to prevent and combat illicit SALW trafficking;
- **International cooperation and information exchange:** Routinely exchanging information between governments on holdings, production and international transfers of SALW and encourage cooperation between border police and customs authorities cooperation through regional information exchange and joint exercises;
- **Transparency and oversight:** Developing and implementing measures to promote transparency in all decisions on small arms at all levels of government, such as the publication of all relevant laws, policies and procedures, and the regular publication of detailed and comprehensive reports on arms transfers undertaken with official approval;
- **Coordination and policy formulation:** Creating and maintaining systems and procedures to facilitate coordinated action by national regulatory agencies responsible for maintaining SALW Controls, including the development, implementation and oversight of national policy.

The Table below provides an overview of the laws and regulations that currently govern the control of SALW in Kosovo across the functional areas listed above.¹²⁷ The subsequent Sections of the report provide more detail on the content, virtues and failings of these laws, and on the quality of their interpretation and enforcement. Law enforcement and rule of law issues therefore recur continuously in the analysis that follows, indicating that the current and confusing division of competencies between UNMIK/PISG and their individual institutions does not lend itself well to the adoption of a coherent package of laws and regulations in an area as complex as SALW Control.

¹²⁷ Section 1(f) of UNMIK Regulation 2001/7, 'On the Authorisation of Possession of Weapons in Kosovo' (21 February 2001), defines the types of weapons and persons that are regulated: "weapon" means an instrument designed or used or usable for inflicting bodily harm. It shall include, but not be limited to, all forms of ammunition, crossbows, bows and arrows, pepper spray, CS gas, blank firing weapons, replica weapons, stun guns, tasers and all categories of weapons set out in Schedule A annexed to the present regulation or similar weapons.' Schedule A goes on to provide a comprehensive list of regulated items ranging from automatic rifles to explosives, mines, grenades and ammunition.



REGULATORY INSTRUMENT	RELEVANT CLAUSE	NOTES
PRODUCTION		
Provisional Criminal Code of Kosovo (UNMIK Regulation 2003/25) (06 July 2003)	Article 327 Article 330	No officially-sanctioned production at present
INTERNAL TRADE		
Law on Acquisition, Possession and Carrying of Weapons and Ammunition 1980 (Official Gazette of Kosovo No. 40/80)	Articles 32-37	Regulation of weapons and ammunition sale
Provisional Criminal Code of Kosovo (UNMIK Regulation 2003/25) (06 July 2003)	Article 327	-
POSSESSION, USE AND TRANSPORTATION		
Law on Hunting 1979 (Official Gazette of Kosovo No. 37/79)	Article 47	Requirements for becoming a registered hunter
Law on Acquisition, Possession and Carrying of Weapons and Ammunition 1980 (Official Gazette of Kosovo No. 40/80)	Article 7 Article 10 Article 13	Approval to acquire firearms and ammunition Prohibitions on ownership Duration of weapon cards
Weapons and Ammunition Act 1992 (Official Gazette of Serbia)	Article 7 Article 8 Article 11a	Acquisition of weapons Prohibitions on possession Possession and carrying of a weapon
Law on Hunting of the Republic of Serbia 1993 (Official Gazette of the Republic of Serbia 39/93)	Article 41	Requirements for becoming a registered hunter
Kosovo Police Service Code of Conduct (30 March 2000, last updated 19 February 2003)	Section P-4.17	Guidelines on the use of firearms by police officers
UNMIK Regulation 2000/33 (25 May 2000)	Section 1 Section 2 Section 3 Section 4 Section 6	Issue of licenses for private security companies Procedural limitations for the issue of licenses - Revocation/refusal of licences Penalties
UNMIK Administrative Direction 2000/21 (01 September 2000)	Section 1 Section 2	Registration of private security companies Registration and issuance of permits
UNMIK Regulation 2001/7 (21 February 2001)	Section 3 Section 4 Section 5 Section 7 Section 8 Section 10	Issue of Weapon Authorization Cards Background checks Revocation of Weapon Authorization Cards Validity of Weapon Authorization Cards Offences and penalties Exemptions

REGULATORY INSTRUMENT	RELEVANT CLAUSE	NOTES
UNMIK Executive Decision 2001/5 (11 April 2001)	Section 3 Section 4	Transportation of SALW for collection Transportation of SALW for collection
UNMIK Police Weapons Authorisation Policy and Guidelines (July 2001)	Section 2.3-2.9 Section 2.14 Section 5B Section 6 Section 7 Section 8	Issue of Weapon Authorization Cards Revocation Possession of weapons for defence against predatory animals Registration and possession (private security companies) Carrying weapons (private security companies) Appeals process
UNMIK Administrative Direction 2003/1 (17 January 2003)	Section 2 Section 3 Section 5 Section 6 Section 9	Registration Use by non-state actors Transportation Lost, destroyed or stolen weapons Revocation
Provisional Criminal Code of Kosovo (UNMIK Regulation 2003/25), (06 July 2003)	Article 328 Article 329 Articles 153(2), 193(3)(3), 195(3)(3), 198(5)(3), 253, 254, 255, 256, 267, 268, 291(1), 316, 317(2)	Registration, possession and use Penalties for non-compliance Increased penalties for SALW-related crime
UNMIK Police Administrative Instruction (01 February 2004)	Section 4 Section 5 Section 6 Section 7 Section 8 Section 9.2 Section 9.4	Background checks Registration Appeals Revocation of licenses Renewal of Weapon Authorization Cards Possession of ammunition Seizure of unauthorised weapons
UNMIK Administrative Direction 2004/16 (30 June 2004) (implementing UNMIK Regulation 2001/19)	Annex 10	Allocation of responsibility for the regulation of hunting to the Ministry of Agriculture, Forestry and Rural Development



REGULATORY INSTRUMENT	RELEVANT CLAUSE	NOTES
HQ KFOR Standard Operating Procedures. SOP: 3009 Weapons Policy for Kosovo. OPR: J3 CONOPS. Last updated 28 April 2005	5.4 5(d) 5(e) 5(f) 6(b) 11(f) Annex C(2)	Limitations on use of hunting/recreational weapon - Limitations on ammunition possession No restrictions on the number of hunting weapons that can be owned Specifications for the two kinds of Weapon Authorization Cards Responsibility for use lies with the Commander Use of weapons in self-defence KFOR right to inspect weapons at any time without notice Limitations on possession of ammunition Limitations and conditions on KPC possession Possession by close protection officers
Assembly of Kosovo, Draft Law on Hunting (June 2005)	Articles 7, 8, 9(4), 10, 1, 24(1), 45, 46(2), 58(1)(e)	Passed by the Kosovo Assembly but as yet unsigned by the SRSG
UNMIK Regulation 2006/35 (6 June 2006)	Section 1	Amending Section 10 of UNMIK Regulation 2001/7
STOCKPILE MANAGEMENT		
UNMIK Executive Decision 2001/5 (11 April 2001)	Section 6.1	Storage of weapons collected through amnesty
UNMIK Executive Decision 2002/1 (25 February 2002)	Section 6.1	Storage of weapons collected through amnesty
UNMIK Administrative Direction 2003/1 (17 January 2003)	Section 4	Storage of personal weapons
UNMIK Executive Decision 2003/10 (11 August 2003)	Section 6.1	Storage of weapons collected through amnesty
HQ KFOR Standard Operating Procedures. SOP: 3009 Weapons Policy for Kosovo. OPR: J3 CONOPS. Last updated 28 April 2005	10(a) 10(b)(4) Annex C(2)	Control and storage of KPC weapons maintained by KFOR Storage of weapons connected with criminal investigations Site security
INFORMATION MANAGEMENT		
-		
EDUCATION AND AWARENESS-RAISING		
-		
COLLECTION		
UNMIK Regulation 2001/7 (21 February 2001)	Section 7 Section 8.13	Seizure of weapons Seizure of weapons

REGULATORY INSTRUMENT	RELEVANT CLAUSE	NOTES
UNMIK Executive Decision 2001/5 (11 April 2001)	Section 1 Section 2 Section 3 Section 4 Section 5 Section 8	- Procedural aspects of the amnesty Transportation of weapons for collection Transportation of weapons for collection Possibility for anonymous amnesty Non-applicability to 'seized' weapons
UNMIK Executive Decision 2002/1 (25 February 2002)	Section 1 Section 2 Section 3 Section 4 Section 5 Section 6 Section 7	- Procedural aspects of the amnesty Transportation of weapons for collection Transportation of weapons for collection Possibility for anonymous amnesty Transportation of weapons for collection Non-applicability to 'seized' weapons
UNMIK Administrative Direction 2003/1 (17 January 2003)	Section 7	Seizure of weapons
UNMIK Executive Decision 2003/10 (11 August 2003)	Section 1 Section 2 Section 3 Section 4 Section 5 Section 7	- Procedural aspects of the amnesty Transportation of weapons for collection Transportation of weapons for collection Possibility for anonymous amnesty Non-applicability to 'seized' weapons
UNMIK Police Administrative Instruction (01 February 2004)	Section 9.4	Seizure of unauthorised weapons
HQ KFOR Standard Operating Procedures. SOP: 3009 Weapons Policy for Kosovo. OPR: J3 CONOPS. Last updated 28 April 2005	Article 9	Seizure of weapons
DESTRUCTION		
UNMIK Executive Decision 2001/5 (11 April 2001)	Section 6.2	-
UNMIK Executive Decision 2002/1 (25 February 2002)	Section 6.2	-
UNMIK Executive Decision 2003/10 (11 August 2003)	Section 6.2	-
INTERNATIONAL TRANSFER CONTROLS AND BORDER MANAGEMENT		
HQ KFOR Standard Operating Procedures. SOP: 3009 Weapons Policy for Kosovo. OPR: J3 CONOPS. Last updated 28 April 2005	Section 11(f)	Requirement to ensure that weapons and military articles exported are correctly documented and their end use subject to adequate control and account
UNMIK Regulation 2005/41 (10 August 2005)	Annex IV(b) and (c)	Prohibition on imports of weapons or explosives
INTERNATIONAL COOPERATION AND INFORMATION EXCHANGE		



REGULATORY INSTRUMENT	RELEVANT CLAUSE	NOTES
Protocol On Police Cooperation with Serbia (31 May 2002)	Yes	Border security
Protocol On Police Cooperation with Albania (9 September 2002)	Yes	Border security
Protocol On Police Cooperation with FYROM (27 November 2002)	Yes	Border security
Protocol On Police Cooperation with Montenegro (31 October 2003)	Yes	Border security
Stability Pact Task Force on Trafficking	Yes	-
CARDS Project of the Council of Europe	Yes	-
TRANSPARENCY AND OVERSIGHT		
UN Security Council Resolution 1244 (10 June 1999)	Paragraph 9 Paragraph 11	- -
UNMIK Regulation 2000/38 (30 June 2000)	-	Creation of the Ombudsperson Institution
UNMIK Regulation 2001/9 (15 May 2001)	Chapter 9 Chapter 10	Establishes the National Assembly Establishes the Ombudsperson
Kosovo Standards Implementation Plan (31 March 2004)	Section 2(5.2)	Establishes crime prevention councils
UNMIK Regulation 2005/53 (20 December 2005)	-	Establishes the Ministry of Justice and Ministry of Internal Affairs
UNMIK Regulation 2005/54 (20 December 2005)	-	Establishes the legal grounding for the KPS and creates Municipal Community Safety Councils and Local Public Safety Committees
HQ KFOR Standard Operating Procedures. SOP: 3009 Weapons Policy for Kosovo. OPR: J3 CONOPS. Last updated 28 April 2005.	1.1(f)	Responsibility for SALW use lies with the Commander
COORDINATION AND POLICY FORMULATION		
UNMIK Police Weapons Authorisation Policy and Guidelines (July 2001)	Section 3	Policy towards weapon control
UNMIK Regulation 2001/19 (13 September 2001)	Annex 10(iii)	Stipulates that the Ministry of Agriculture, Forestry and Rural Development develop policies to control hunting
UNMIK Administrative Direction No. 2004/16 (30 June 2004)	Section 1	Establishes the Office of Public Safety
UNMIK Administrative Direction 2004/16 (30 June 2004) (implementing UNMIK Regulation 2001/19)	Annex 10	Allocation of responsibility for the regulation of hunting to the Ministry of Agriculture, Forestry and Rural Development

Table 31: Regulatory instruments governing the control of SALW in Kosovo

5.2 Production

The Provisional Criminal Code of Kosovo (UNMIK Regulation 2003/25, 06 July 2003) explicitly forbids the unauthorised manufacture of SALW in Kosovo.¹²⁸ Accordingly, although the illicit production and modification of SALW appears to occur on a small scale (see Section 2.3.6.5), there is no officially regulated production capacity in the territory.

5.3 Internal trade

The internal supply, transportation, exchange or sale of SALW, both hunting and self-defence weapons, are not permitted under the Provisional Criminal Code of Kosovo 'without UNMIK authorisation'.¹²⁹ The import of SALW by non-governmental actors is also prohibited without the express permission of UNMIK or KFOR. This unique arrangement means that those wishing to acquire SALW through legal channels (e.g. gun shops) are unable to do so, except by obtaining permission to exchange SALW already registered using WACs or Weapon Registration Cards (WRCs) (see below). Despite the fact that most WAC-authorised SALW are drawn from official stocks, this unique arrangement means that a substantial number of legally registered SALW in Kosovo, including both self-defence and hunting/recreational weapons, are sourced from the illicit market.¹³⁰ Efforts to establish a regulated civilian weapons registration system have certainly been undermined in this respect, and will continue to be so until more legitimate channels are established.¹³¹ More importantly perhaps, the system currently in place for the registration of SALW in Kosovo also functions as a driver for the illicit market.

5.4 Possession and use

Firearms possession and use is governed by two main regulations. Section 10 of UNMIK Regulation 2001/7 on 'The Authorization of Possession of Weapons in Kosovo' specifies the agencies and persons permitted to hold SALW in Kosovo without special authorisation (i.e. in the form of a WAC, see below). These are: KFOR, authorised UN security officers, UNMIK Police, the Kosovo Police Service, the Kosovo Correctional Service, legal persons who are international security providers registered and licensed by UNMIK, and those holding 'KFOR authorised weapons' (SALW belonging to the KPC). Since June 2006, SALW used by officers of the Forestry and Customs Services are also exempt under Regulation 2001/7 (UNMIK Regulation 2006/35 'Amending UNMIK Regulation 2001/7 on the Authorization of Possession of Weapons on Kosovo'). A range of institutions share the responsibility for regulating the possession and use of SALW, primarily UNMIK Police, KPS and KFOR. The handling, usage and control functions of these institutions, but also other societal actors, are explored below.

¹²⁸ Under Article 327, the offence is punishable with a fine of up to €7,500 or one to eight years imprisonment, with stiffer penalties for the production of larger numbers of weapons. Article 330 prohibits the manufacture of weapons in the knowledge that they will be used to commit a criminal offence.

¹²⁹ Articles 327(1) and 327(2) stipulate a penalty of €7,500 or imprisonment of one to ten years for offences involving larger amounts. The procurement of weapons in the knowledge that they will be used to commit criminal acts is prohibited under Article 330. Although the buying of SALW under normal circumstances is not regulated by law, buying weapons in the knowledge that they will later be used for criminal acts is also prohibited under the Code.

¹³⁰ UNDP's 'Handbook on Hunting Weapons' (23 April 2003), p.19 points to a similar lack of clarity in the laws in this area. The origins of such weapons are discussed in more detail elsewhere in the report, but although illicit SALW are likely available across the territory, past reports have indicated that areas bordering Montenegro and Albania, such as Pejë/Peć, and Mitrovicë/Mitrovica, which borders Serbia, are hot-spots for the illicit internal trade in SALW. According to a report published in 2005 by IWPR, Italian KFOR troops have discovered more illegal weapons in the Pejë/Peć region during the first two months of 2005 than in the whole of 2004: 'Investigation: Kosovo's wild west', *Balkan Crisis Report No. 542*, Institute of War and Peace Reporting, 18 February 2005. A second article that appeared in the Kosovo daily *Koha Ditore* describes the thriving market in Mitrovicë/Mitrovica, where a wide variety of weapons can be bought or specially ordered. Mustafa, M., 'The Black market offers all kinds of light weapons', *Koha Ditore*, 06 February 2005 (translated by the KFOR public information office).

¹³¹ Interview, Naim Maloku, Vice Director of National Assembly and Director of the Parliamentary Commission for Emergencies, 04 April 2006.



5.4.1 Governmental actors

Personnel within a number of different governmental agencies in Kosovo currently hold and use SALW in the course of their duties, including the KPS, UNMIK Police, KFOR, KPC, Customs and Forestry personnel and the Kosovo Correctional Service. Estimates of the extent of official SALW holdings are provided in Section 2.2.2.

KPS: In December 2005, new legislation was adopted that gave the KPS legal grounding for the first time.¹³² However, the new 'Law on Police' is regarded as a skeleton police regulation, which stipulates only the most essential guiding principles for the police force, with further details left to PISG institutions for future elaboration.¹³³ As such, it does not address the use of force and firearms by police officers, or the handling of SALW possessed by KPS officers. Instead, these aspects continue to be regulated only by internal police standards.¹³⁴ All KPS recruits undergo practical and theoretical training during their basic course at the Kosovo Academy of Public Safety and Development (KAPSED), which includes practical scenario-based training using simulation equipment. Although the KAPSED training curriculum does not specifically reference international standards in the field, such as the 'UN Code of Conduct for Law Enforcement Officials' and 'UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials', the KPS Code of Conduct, which provides guidance for police officers on their conduct, is said by KAPSED interviewees to draw on such standards. UNMIK official data for the period 01 January - 20 April 2006 records four incidents in which discharge of KPS firearm resulted in injury and one that resulted in death. Of these, two were in self-defence.¹³⁵ Information on the details of each case was not available. The research team did not uncover any proven cases of serious firearm misuse by KPS officers, with only one reference to a case of misuse encountered.¹³⁶

KFOR: KFOR's Standard Operating Procedure 3009, 'Weapons Policy for Kosovo' (last updated 28 April 2005), promulgates the international security force's SALW policy in Kosovo and provides guidance to units on its implementation. This document is primarily concerned with KFOR's role in regulating the possession and use of SALW by civilians,¹³⁷ the KPC and law-breakers, and no reference is made within the document to the procedures concerning the handling and use of SALW in active use by KFOR units. Despite requests, no further information was provided to the research team, but it is presumed that standard regulations do exist. Although one dramatic case of SALW misuse by KFOR troops was reported in July 2006, this appears to have been a one-off incident with no immediate repercussions; it is not representative of normal practice.¹³⁸

KPC: SALW in the possession of KPC personnel are regulated according to KFOR's Standard Operating Procedure 3009, 'Weapons Policy for Kosovo', Annex C (2). This document stipulates that KFOR Headquarters may authorise KPC members to carry and use SALW for self-defence purposes on behalf of the Commander of Mission (COM) KFOR. Authorised KPC personnel may carry one pistol of up to 9mm calibre, provided they have first been issued a WAC by KFOR.¹³⁹ KPC members who are assigned special high-risk duties may also be assigned up to three bodyguards, each of whom may carry a pistol or a short-barrelled automatic weapon not larger than 9mm. When not on duty, such SALW are to be stored at the site to which KPC members are assigned. WACs may be issued to no more than 5% of KPC members at any given time. The research team found no evidence of SALW misuse by KPC personnel.

¹³² UNMIK Regulation 2005/54 'On the Framework and Guiding Principle of the Kosovo Police Service' (20 December 2005).

¹³³ Interview, Nick Booth, Senior Security Advisor to the DSRSG for Police and Justice, 09 March 2006.

¹³⁴ Kosovo Police Service Code of Conduct, (30 March 2000, last updated 19 February 2003).

¹³⁵ UNMIK official data.

¹³⁶ Focus group discussion, Prishtinë/Priština, 12 March 2006.

¹³⁷ Under the Military-Technical Agreement signed by KFOR and the respective governments of the Federal Republic of Yugoslavia and the Republic of Serbia at the close of the conflict, the international security force is authorised to 'take all necessary action to establish and maintain a secure environment for all citizens of Kosovo and otherwise carry out its mission'. Military Technical Agreement between the international security force 'KFOR' and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia, 09 June 1999. Available at: <http://www.nato.int/kfor/kfor/documents/mta.htm> accessed 05 June 2005. UNSCR 1244 of 10 June 1999 also mandated KFOR with 'ensuring public safety'.

¹³⁸ According to an announcement by KFOR's spokesperson, an Italian KFOR contingent fired a number of rounds from automatic rifles and hand-held mortars in the predominantly Kosovo-Serb village of Grabac/Grabac, central Kosovo, when celebrating Italy's victory in the July 2006 World Cup semi-final. SRNA (BBC Monitoring Service), 'Italian troop's gun celebration damages Kosovo-Serb homes', 05 July 2006.

¹³⁹ According to Section 1(b) of UNMIK Regulation 2001/7, 'a 'KFOR authorized weapon' means a weapon in the possession of a KPC member for which a weapon authorization card has been issued by KFOR'.

Other government actors: Selected personnel within the Customs and Forestry Services were empowered to carry firearms in June 2006 with the amendment of UNMIK Regulation 2001/7.¹⁴⁰ Training courses in SALW handling at KAPSED are currently anticipated for such staff, although 90% of forest guards are said to have received SALW-training and held SALW as part of their duties under the Yugoslav system.¹⁴¹ No detailed information was made available to the research team on the possession and use of firearms by other armed actors such as UNMIK Police or the Kosovo Correctional Service.

5.4.2 Non-governmental actors

Users of self-defence SALW: UNMIK Regulation 2001/7 authorises individuals holding a WAC to possess and carry a firearm (usually sidearm pistols, but also short-barrelled automatic weapons in exceptional circumstances) for self-defence purposes. Applicants wishing to acquire a WAC must first undergo an assessment by UNMIK's WAS. A Threat Assessment Committee (TAC), consisting of three UNMIK officials, reviews evidence in relation to particular applications, which is primarily provided by local police stations, in order to determine whether applicants are in fact subject to 'the threat or use of deadly force', and then makes recommendations for the issuance or denial of WACs on that basis. However, the final decision on all applications resides with the UNMIK Police Commissioner who may issue or deny WACs entirely at his or her discretion.¹⁴² Where applicants are successful, WACs are issued in relation to a particular weapon, though the TAC does not have any guidelines outlining the types of weapons that they may issue. Once issued, WACs contain a full description of each weapon, including the manufacturer, model, serial number, as well as any other identifying information. They are valid only for one year, after which time the individual must re-apply if still under threat.¹⁴³ According to WAS personnel, recipients of WACs are typically politicians' bodyguards, judges, businessmen, and witnesses in court cases. Kosovo's IPSCs (those who may be licensed to carry SALW) may also be issued with WAC cards.¹⁴⁴

¹⁴⁰ UNMIK Regulation 2006/35, 'Amending UNMIK Regulation 2001/7 on the authorisation of possession of weapons in Kosovo', (06 June 2006). The authorisation will allow 'a limited number of personally identified customs officers and forest guards on duty' to carry semi-automatic pistols. Correspondence, Piotr Zavgorodni, Senior Legal Officer, Office of the Legal Advisor, UNMIK, 21 June 2006.

¹⁴¹ Interview, Muzafer Luma, Chief Executive, Kosovo Forestry Agency, 21 April 2006.

¹⁴² UNMIK Regulation 2001/7 is supplemented by UNMIK Police Weapon Authorization Section's Weapon Authorisation Policy and Guidelines, July 2001, Section 2 of which details the procedures for assessing WAC applications, issuing permits and revoking them. Section 2.1 details special exemptions, including the temporary issuance of permits where an applicant's livestock is endangered by predators. Section 6 details the procedures for issuing permits to international PSCs. This includes a requirement to provide a list of employees to allow for background checks but specifically prohibits the issuing of WACs to nationals of former Socialist Federal Republic of Yugoslavia or states 'neighbouring' Kosovo (i.e. Albania). UNMIK Regulation 2000/33 'On Licensing of Security Services Providers in Kosovo and the Regulation of their Employees', (25 May 2000), Section 2.4, contains a similar provision.

¹⁴³ The above information is drawn from Sections 1(e) and 3 of UNMIK Regulation 2001/7.

¹⁴⁴ Additional regulations cover the work of PSCs: UNMIK Regulation 2000/33 'On Licensing of Security Services Providers in Kosovo and the Regulation of their Employees', (25 May 2000); UNMIK Police Policy and Guidelines 'On the operation of Security Service Providers in Kosovo'; Business Registration Unit Administrative Instruction No. JIAS/BRU/AI/2000/1 'On general requirements for license to operate a business'.



Box 4: Private Security Companies¹⁴⁵

Companies wishing to operate as PSCs must first register with the Ministry of Trade and Industry before registering themselves and their employees with UNMIK's Weapon Authorization Section and Security Service Providers Inspection Unit (SSPIU), applying for an individual licence for each employee.¹⁴⁶ The SSPIU is in fact the central actor in the control system, performing background checks on would-be employees, inspecting companies periodically, and regulating the training that security guards undergo.¹⁴⁷ Section 3 of UNMIK Regulation 2000/33 sets out the requirements for possession, usage, storage and maintenance of SALW by PSCs, prohibiting the use of weapons for 'law enforcement' activities. It is important to note that there is currently a two-tier system for arming private security companies in Kosovo. Under Regulation 2000/33, international staff of PSCs may be permitted to acquire and carry firearms during their work, while local staff, and staff who are nationals of any of the ex-Yugoslav successor states (or states neighbouring Kosovo) may not. This legal distinction, presumably introduced because of valid concerns such as organised crime affiliations or the misuse of PSC firearms for political or other purposes, is unlikely to prove sustainable or desirable over the long-term since, amongst other things, it puts companies that employ international staff at an unfair advantage.

One other consequence of this distinction is the commercial success of the bodyguard industry in Kosovo. With most PSCs unable to provide armed close protection services, most VIPs have hired individuals registered separately in law as bodyguards. Registered bodyguards (typically 80-90 in number)¹⁴⁸ are licensed to carry firearms to protect vulnerable persons. Such staff now outnumber the armed close protection staff supplied by international PSCs (mainly to international businesses), and since they operate as freelancers, are difficult to control and monitor. In addition, no specialised training is required for those operating as bodyguards in Kosovo.

Previous research indicates that PSCs are generally seen as a positive contribution to effective law enforcement in Kosovo. The controls exercised by the SSPIU appear to be sufficient, with few reports of inappropriate conduct by PSC personnel or of bad practice by companies. However, it remains to be seen how well Kosovo's newly empowered or established oversight institutions (see below) will manage their upcoming responsibilities in this sector, with two and a half thousand additional security practitioners who may well acquire the right to carry firearms at some stage. The ongoing possibility of inappropriate links developing between PSCs, political parties, ex-combatants and armed groups of various kinds makes the challenge all the greater.

According to Section 4 of UNMIK Regulation 2001/7, WACs shall not be issued to any person who, in the opinion of the UNMIK Police Commissioner, is considered unsuitable to hold a weapon. All applicants (and bodyguards), are therefore subject to background checks that review their suitability, carried out by UNMIK Police and KFOR. Checks must cover, at a minimum, the following:¹⁴⁹

- a) Criminal history, including any criminal investigation, indictments or convictions;
- b) Record or history of violent behaviour (including domestic violence);
- c) Record of mental health problems affecting the applicant's suitability to hold a weapon;
- d) Police reports of call-outs involving disturbances caused by the applicant or other relevant complaints of disorderly conduct against the applicant; and
- e) Local authority records concerning history of applicant's confrontation with police.

¹⁴⁵ This Section draws heavily on Page, M., et al., *SALW and Private Security Companies in South Eastern Europe: A Cause or Effect of Insecurity?* (SEESAC, Belgrade, 2005), pp. 96-108.

¹⁴⁶ UNMIK Regulation 2000/33, Section 1: Issuance of Licenses and Section 2: Registration and Issuance of Permits. 'UNMIK Police Policy and Guidelines on the Operation of Security Service Providers (SSPs) in Kosovo', Section 3: General Regulations.

¹⁴⁷ UNMIK Regulation 2000/33, Section 2.2; UNMIK Police Policy and Guidelines on the Operation of Security Service Providers (SSPs) in Kosovo, Section 4a: Requirements for employment in Security Service Providers.

¹⁴⁸ The private security sector in Kosovo is marked by the distinction between 'local' and 'international' PSCs, the different security services they offer, and their client base. Whilst there is some degree of overlap in the range of services offered by these two groups, the 'international' PSCs, unlike their 'local' counterparts, are licensed to provide armed security guards by way of 'international' staff: UNMIK Regulation 2001/7 Sections 1(c) and (d) and Section 3.2. Although the KPS Protection Unit has been empowered to provide close protection service for VIPs since 2004, officials tend to retain their own bodyguards.

¹⁴⁹ These requirements are supplemented by Section 2.5 of UNMIK Police Weapon Authorization Section's Weapon Authorisation Policy and Guidelines, July 2001.

While the TAC is presumed to follow the above guidelines, in the view of the research team, there is insufficient guidance for staff working within local police stations on how to gather and present reports on some of the above, particular in relation to difficult matters such as the mental health of applicants.¹⁵⁰ This represents a possible loophole or weakness in the control system that might easily lead to inappropriate decisions by the TAC, or might even be exploited in future by unscrupulous applicants.

Users of hunting and sporting weapons: The current legal framework for the regulation of hunting and sporting weapons is somewhat confused. UNMIK has so far only introduced primary legislation covering the acquisition of hunting weapons rather than their use. Yugoslav legislation is still considered by some to apply in certain areas. Although an attempt has since been made to introduce primary legislation on hunting, the 'Draft Law on Hunting', passed by the Assembly of Kosovo in June 2005, has yet to be signed off by the Office of the SRSG. In an attempt to clarify the current legal situation with respect to hunting, UNDP Kosovo commissioned a 'Handbook on Hunting Weapons' (23 April 2003), containing information on the relevant laws and procedures in this area and examined problematic cases that had arisen in recent years. Aside from Administrative Direction 2003/1, applicable Yugoslav laws are thought to include the Kosovo 'Law on Acquisition, Possession and Carrying of Weapon and Ammunition of 1980' (Official Gazette of Kosovo No. 40/80); the 'Weapons and Ammunition Act 1992' (Official Gazette of Serbia); and the 'Law on Hunting of 1979' (Official Gazette of Kosovo 37/79). While Law No. 40/80 is technically in compliance with Regulation 2001/7, the question of whether these laws may still be applied is by no means certain.¹⁵¹

However, in 2003, legislation was also introduced to regulate the possession of hunting and recreational weapons (UNMIK Administrative Direction 2003/1, 17 January 2003). Consequently, long-barrelled rifles and shotguns (but not automatic rifles) can now be registered to individuals who have been issued a WRC by the WAS. Demand for WRCs, which are valid for two years, has been high since their introduction. For example, in 2004 alone, there were a total of 29,695 applications for WRCs, of which 28,890 were approved, the vast majority of which being for hunting.¹⁵² The extent to which this high level of demand reflects a genuine interest in hunting is, however, unclear. In fact, the findings of the HHS and focus groups conducted for this research make it likely that many of those seeking WRCs have taken the opportunity to legalise hunting and recreational weapons that they retain because of feelings of insecurity (see Section 4.5). Those possessing hunting or recreational weapons are limited to the possession of a maximum of 50 rounds of ammunition per registered weapon,¹⁵³ though there are no limits as to the number of SALW that individual WRC-registered owners may have. The same applies for WAC holders. Section 5.1 of UNMIK Administrative Direction 2003/1 also regulates the transportation of hunting and shooting weapons, stipulating that unless expressly authorised otherwise by UNMIK Police, a weapon may only be transported by a person in whose name such weapon has been registered. SALW may only be transported for the purposes of hunting and club shooting, but when they are, they must be openly displayed with ammunition held in the boot of the vehicle.

Unfortunately there are some confusions and ambiguities present within Administrative Direction 2003/1. Under Sections 3.1 and 3.2, hunting and recreational weapons can only be used by the registered owner and only during a 'current hunting season announced by the competent governmental authority'. Previous attempts by the Ministry of Agriculture to introduce hunting seasons have not borne fruit since UNMIK has refused to grant final



Winter hunting expedition

¹⁵⁰ This finding is reflected in other parts of South East Europe; see for example *op. cit.*, Taylor, Z. *et al.*

¹⁵¹ 'Handbook on Hunting Weapons', 23 April 2003, p.18.

¹⁵² Rynn, S., *et al.* *South Eastern Europe SALW Monitor 2005*. Interview, Carlos Meireles, Chief of Weapon Authorization Section, Prishtinë/Priština, 16 February 2005. As with applicants for WACs, those applying for WRCs are also subject to background checks and may be refused registration under Section 2.2(c) of UNMIK Administrative Direction 2003/1. Section 9 provides for the revocation or refusal of WRCs, stipulating that the Police Commissioner may refuse to issue a registration card at his or her discretion, or revoke it at any time. The 'Police Administrative Instruction for Registration of Hunting Weapons and Recreational Weapons', valid from 01 February 2004, also details the procedure for background checks on WRC applicants and allows for the revocation of WRCs.

¹⁵³ Section 9.2, 'Police Administrative Instruction for Registration of Hunting Weapons and Recreational Weapons'.



authorisation,¹⁵⁴ and therefore, in the absence of such an ‘announced’ and ‘current’ hunting season, any use or carrying of registered firearms outside the home, other than for hunting predatory animals that threaten livestock, is illegal (except for those with a WAC). Consequently, at the present time, a WRC effectively only permits possession, not use, of hunting weapons.¹⁵⁵ This does not, however, seem to have prevented hunting, and according to the President of the Hunters Association, surveys of local associations report that poaching is routine. Whether those involved in illegal hunting are in possession of WRCs remains an unanswered question, since there have been no prosecutions. Further, there is no requirement for those applying for hunting weapons to be registered members of the hunting association.¹⁵⁶

In the absence of legal channels for the acquisition of firearms, WAS operates a ‘no questions asked’ policy regarding the weapons’ origins when issuing permits.¹⁵⁷ Although it is clear that the majority of SALW being presented for registration under WACs or WRCs have their origins in the illicit market, the authorities appear to take the view that it is better that civilians are encouraged to legally register their SALW than to continue with illegal possession. Despite its practical reasons, the reliance of the regulatory system for SALW Control on the illicit SALW market clearly constitutes a problem.

5.4.2.1 Penalties and enforcement

On paper, the legal sanctions for unlicensed SALW possession are severe, with a maximum of ten years’ imprisonment and fines of up to €10,000.¹⁵⁸ The penalties for inappropriate use are similarly harsh. Under Article 328 of the Provisional Criminal Code, anyone who owns, controls or uses a weapon without a valid WAC is liable to a fine of €7,500 or one to eight years’ imprisonment. If larger numbers of SALW are involved, ten years’ imprisonment may be imposed. Also, anyone who uses a weapon in a threatening, intimidating or otherwise unauthorised manner, or directs another person to do so, is liable for a fine of up to €10,000 or one to ten years’ imprisonment.¹⁵⁹

Virtually all sources consulted during this research indicated that implementation and enforcement of the laws on the possession and use of SALW are significantly flawed, with local and international law enforcement agencies failing on occasion in this area. Key informant interviews indicate that the laws on SALW possession are routinely flouted in Kosovo, with law enforcement and security personnel often simply overlooking illicit possession. Interviewees who raised this problem were either of the view that security personnel are too overwhelmed with other duties to rigorously enforce the law, or that many among their ranks have understandably come to view illicit SALW possession as a fact of life in Kosovo. In too many cases, it seems, those found with unregistered SALW,¹⁶⁰ particularly where no other offence has been committed, are not prosecuted in accordance with the law but are either given a warning or held in custody for 24 to 48 hours. Although KPS records show a marked increase (13%) in the number of weapons confiscated by the police in 2005 in comparison with 2004, the total number of seizures still appears to pale in comparison with assumed overall rates of illicit possession in

¹⁵⁴ Interview, Piotr Zavgorodni, 30 March 2006. Under annex 10 of Administrative Directive No. 2004/16 ‘On Implementing the Regulation 2001/19 for the Executive Branch of the Institutions for Self-Government’ (30 June 2004), the Ministry of Agriculture, Forestry and Rural Development is the body responsible for the regulation of hunting and hunting grounds. It is also worth noting that prior to the SALW Collection campaign held in 2003, the hunting association were given assurances by UN personnel that hunting would be allowed in the near future. This commitment was not fulfilled. Correspondence, Adrian Wilkinson, Head, SEESAC, 26 July 2006.

¹⁵⁵ Interview, Piotr Zavgorodni, 16 February 2005.

¹⁵⁶ A new law on hunting which would require all WRC applicants to first become members of the association was passed by the Kosovo Assembly in June 2005 but has not yet been signed off by UNMIK. Interview, Qazim Krasniqi, Director, Hunters Association, 14 March 2006.

¹⁵⁷ Interview, UNMIK official, February 2005.

¹⁵⁸ ‘Provisional Penal Code of Kosovo’, Article 328(1) and (2).

¹⁵⁹ Still harsher penalties apply where the weapon is used in the commission of crime (Articles 153(2) and 193(3)(3), 195(3)(3), 198(5)(3), 253(3), 254(2), 255(3), 256(1), 267(2), 268(2), 291(1), 316(2), 317(2)). Section 8 of UNMIK Regulation 2001/7 also sets out the penalties for breaches of the regulations on weapons possession and use. Article 329(1) of the Provisional Criminal Code states that those found to have provided false information when applying for a WAC, or who manufacture, possess, sell or purchase a fraudulent WAC, can be punished with a fine of €5,000 or imprisonment for up to 3 years. Article 329(2) details a fine of €2,500 or three months imprisonment for failing to present the authorised weapon, or provide full information on its whereabouts, on demand by police.

¹⁶⁰ For example, focus group participants and a number of KIs indicated that illegal firearms are commonly carried in discos (by bouncers) or in cars.

Kosovo.¹⁶¹ Backlogs in the justice system appear in part to dictate this course of action, since the full and timely prosecution of the numerous offenders who are caught with such SALW on a daily basis is an unlikely outcome.

The failure of law enforcement agencies to tackle Kosovo's parallel intelligence structures, a proportion of whose members are certainly armed, is just one prominent example of these inadequacies. Although not officially recognised, intelligence structures affiliated to political parties and foreign governments (including the Serbian Ministry of Interior (MUP)) currently operate in Kosovo. They include the Institute for Researching Public Opinion and Strategies (IHPSO) and the Kosovo Information Service (SHIK).¹⁶² The Serbian MUP is also believed to employ operatives, some of whom also occupy official positions within recognised governmental structures. The services provided by these agencies 'range from close protection of party officials to gathering information on, and intimidating, political opponents', and they have been blamed for a number of acts of violence, including a series of assassinations of Democratic League of Kosovo (LDK) officials between 1999 and 2002.¹⁶³ It seems clear that for reasons of political expediency, Kosovo's illegal intelligence structures have not been challenged by the authorities, and neither has their possession and misuse of SALW. In this respect, the continued toleration of these groups demonstrates a failure by the international administration to establish the rule of law. Various other armed groups of uncertain provenance and purpose also tend to re-emerge at times of tension, though the international security forces are keen to emphasise their role in challenging them.¹⁶⁴

It is also worth noting that while enforcement problems appear to be Kosovo-wide, they are obviously likely to be most severe wherever KPS effectiveness is lowest. It is therefore unsurprising that the Mitrovicë/Mitrovica region had the smallest number of weapons seized in connection with a criminal offence during 2004 - 2005.¹⁶⁵ The research team was unable to ascertain precisely how UNMIK regulations on SALW possession and use are applied in northern parts of the territory where KPS efficacy is more limited, though the available evidence points to similar, or perhaps somewhat lower, levels of enforcement. Despite the fact that a significant number of Kosovo-Serbs living in these areas retain SALW permits issued in pre-war days by the authorities of the Republic of Serbia, no attempt appears to be made to enforce the relevant Serbian 'Law on Weapons and Ammunition'.¹⁶⁶ As previously noted, interviews indicate that some Kosovo-Serbs in northern areas, fearful of both disarming and of the KPS, still retain SALW registered under Serbian law but store them across the border beyond the reach of both KFOR and KPS.

Developing the capacity for effective enforcement of the laws on SALW possession and use should be a high priority for the future. As the impact and perception Sections of this report note, perceptions of insecurity among communities are often exaggerated by a belief that the criminal justice system is unable to properly deal with criminals of all types, including the perpetrators of armed and violent crime. Interviews with district and municipal judges and prosecutors, the majority of who expressed concerns about threats and insecurity during their work and about a need for enhanced protection, further underline the problem. Firstly, the failure of Kosovo's criminal justice system to tackle the routine illicit possession and use of SALW is a vivid demonstration of its failures. Secondly, widespread SALW possession, coupled with armed criminality, poses a threat to the workings of the system itself.

¹⁶¹ UNMIK data does not record a corresponding increase in weapons-related crime in this period (see Section 3.2). It is difficult to determine whether the observed increase is a result of improved data collection and record-keeping or increased police capacity in the detection and interception of unregistered SALW.

¹⁶² Xhera, J., 'Kosovo's Intelligence Services come in from the cold,' 24 December 2005. Available at: http://www.csees.net/index.php?page=country_analyses&country_id=8&ca_id=2007# accessed 29 June 2006. See also International Crisis Group, 'Kosovo: The Challenge of Transition,' Report No. 170, 17 February 2006, p. 4.

¹⁶³ Dugolli, I., and Peci, L., *Enhancing civilian management and oversight of the security sector in Kosovo*, (Saferworld, November 2005), p. 14. Allegations have also been made that they have been tolerated and even allegedly used by different parts of the international administration. ICG, 'Kosovo after Haradinaj', May 2005, quotes an UNMIK Police memo, reproduced by the Express newspaper on 15 April 2005, which reveals routine information-sharing with one of the party intelligence structures, and a second source claiming that the rival party intelligence structures have had various undertakings from KFOR. See also *op. cit.*, Xhera, J.

¹⁶⁴ See for example, KosovoLive, 'Kosovo NATO commander not concerned at reports of armed groups', 18 October 2005. Available at: http://www.seesac.org/press/wms_23102005.htm#Kosovo%20NATO%20commander%20not%20concerned%20at%20reports%20of%20armed%20groups accessed 13 June 2006.

¹⁶⁵ Interview, Oliver Ivanović, 13 March 2006.

¹⁶⁶ 'Law on Weapons and Ammunition', Official Gazette of the Republic of Serbia, No. 9/92, 53/93, 67/93, 48/94, 44/98, 39/2003.



5.5 Storage and stockpile management

5.5.1 Governmental actors

SALW are held by a number of international and PISG agencies in Kosovo, amongst which stockpile management practices vary.

KFOR: KFOR-held SALW are stored in the Multi-National Brigade Centre's Safe Weapons Storage Site (SWSS). Although no information was forthcoming from KFOR on the relevant procedures in use at this site, it is presumed that they correspond with NATO standards. KFOR Standard Operating Procedure 3009, 'Weapons Policy for Kosovo', Section 10b(4) provides guidance to KFOR units on the storage of seized SALW, stating that SALW retained in connection with criminal investigations are to be held in KFOR's central SWSS storage site until such time as they can be handed over to UNMIK Police.

KPS: Although KPS does not hold reserve SALW, SALW that are not in active use are held in a central store in Prishtinë/Priština. All other handguns issued to KPS officers are to remain in their possession when off-duty and are stored at home. In contrast, long-barrelled weapons for the use of special units or close protection are stored in the same way regionally.¹⁶⁷ Failings within the judicial system mean that KPS evidence rooms often contain significant quantities of seized SALW, some of which have been stored for a number of years and are not adequately secured. Upgrades to the security and storage standards of such sites should therefore be carried out as a matter of urgency, and stocks held at more insecure locations should be regularly removed to central storage sites as a precautionary measure. Ultimately, these stocks will require destruction.

KPC: Responsibility for the storage and maintenance of KPC SALW is divided between the KPC and KFOR. The bulk of these stocks, though maintained by the KPC, are secured by a single multinational KFOR brigade (see Section 2.2.2.4). Annex C of KFOR Standard Operating Procedure 3009, 'Weapons Policy for Kosovo', provides the force with guidance on the storage and management of these weapons, emphasising KFOR's right to inspect all SALW assigned to the KPC at any time without prior notice. It states that the 1,800 units held in trust are to be maintained between 10:00 and 16:00 daily by a ten-person KPC team and that lost or stolen SALW are to be reported to UNMIK Police within two hours of this fact having been discovered. The annex also details the amount of ammunition that KPC units are to be permitted, allowing a total stock of 4,000 rounds for the organisation as a whole and not more than two magazines with 20 rounds for long-barrelled weapons or 60 rounds for short-barrelled weapons to be carried by any one individual. For training purposes, KPC personnel are also permitted 15 rounds per pistol, and 30 rounds per short-barrelled weapon, per year. Only one theft of a KPC weapon has been recorded in the last six years and with this exception, all indications suggest that these stocks are securely stored and well maintained.¹⁶⁸

Other governmental actors: As previously noted, an amendment to UNMIK Regulation 2001/7 in June 2006 provided the Customs and Forestry Services with the right to carry firearms. At the present time, it is anticipated that these SALW will be stored by off-duty officers at home. Although Kosovo Correctional Service personnel use SALW to guard the perimeter of prisons, no information was available on the SALW management procedures of the agency.¹⁶⁹ Further, under Section 3 of UNMIK Regulation 2000/33, licensed 'security service providers' such as international PSCs are required to store registered SALW in a dedicated armoury on the company's premises when not in use. However, no stipulations on the storage of ammunition are made.

5.5.2 Non-governmental actors

Section 4 of UNMIK Administrative Direction 2003/1 (17 January 2003) sets out the requirements for the storage of registered SALW other than hunting and sports weapons. It stipulates that with the exception of SALW in use for hunting or by shooting clubs, SALW must be stored in the residence of the registered owner separately

¹⁶⁷ Correspondence, Major Killokoqi, 03 July 2006.

¹⁶⁸ Interview, Major Costica Paraschiv, KFOR Inspectorate for KPC, 09 March 2006.

¹⁶⁹ Interview, Nick Booth, 08 March 2006; UNMIK press release 'Kosovan Commissioner for Kosovo Correctional Service appointed,' 02 February 2006. Available at: <http://www.unmikonline.org/justice/pmd.htm> accessed 22 June 2006.

from ammunition.¹⁷⁰ Under Section 4.4, shooting clubs are required to store SALW on their licensed premises. As further described above, the regulations governing several aspects of hunting and the use of hunting SALW remain ambiguous. The storage procedures for these SALW are one such example.¹⁷¹

The findings of the research team on the storage practices of non-governmental actors holding illicit SALW echo those of previous research. Although a proportion of SALW seizures are made on the street, primarily from vehicles, the majority of unregistered SALW within Kosovo are secured in households or purpose-built caches.¹⁷² KIIs interviewed for this report were of the opinion that if anything, the tendency for illicit weapon holders to cache SALW outside the home has probably increased since 2003, partly to avoid ongoing search operations but also in response to gradual improvements in security. Although previous research on the question on SALW possession by non-governmental actors has highlighted the fact that some caches are likely to be held and maintained by those with political or criminal motivations, the research team was unable to investigate such claims in any detail.¹⁷³

5.6 Information management

In light of numerous difficulties encountered when seeking the official data related to SALW that was required to complete this Survey, the research team concludes that there are major gaps in the collection, collation, dissemination and analysis of data relating to SALW in Kosovo. While basic systems do exist for gathering and storing such data, difficulties in administering the system appear to cut across several institutions, with record-keeping by the police, courts and health authorities falling below regional standards in this field. Reliable data on SALW issues such as crimes or injuries was not typically available from most institutions.

Firstly, no comprehensive data on deaths and injuries due to firearms is collected by the health system, making it difficult to measure the direct impacts of firearms on public health and impossible to draw out trends. As described in more detail in Section 3.1, the MOH information unit was unable to provide any statistical information on the number of firearm injuries treated by health institutions around Kosovo, and its existing databases are not fully operational. This information gap could have been addressed by data recorded by the police or morgue officials, but despite requests to both, the research team was unable to obtain relevant information. UNMIK data on firearms injuries and fatalities, based as it is on Police and KFOR reports only, cannot substitute for comprehensive hospital records.

There are also gaps in the production, collection and analysis of crime statistics by Kosovo's law enforcement institutions. In the view of one key informant working within a department concerned with the collation of criminal justice information, data collection is very often inaccurate, with most records being based on the interpretation of non-standard initial reports, leaving open the possibility of inappropriate categorisations (for example, on more than one occasion, reported murders were eventually found to be accidents or suicides).¹⁷⁴ In the absence of a computerised crime recording system that tracks each case through to its conclusion, this sort of systematisation is difficult to envisage. This insider view reflects the experience of the research team who faced repeated delays, confusions and occasional obfuscation when trying to obtain and cross-check data from different criminal justice and health sector institutions. When information was ultimately provided, it was

¹⁷⁰ Section 4.1. It is also stipulated that weapons are to be stored separately from 'any authorised weapon for which a WAC has been issued'. Section 6 of the Regulation requires that in the case of a registered weapon being lost, destroyed or stolen, the registered owner must notify the police within 24 hours.

¹⁷¹ Section 4.1 of UNMIK Administrative Direction 2003/1 does not clearly and unambiguously state the required procedures for storage of such weapons.

¹⁷² Interview, Naim Maloku, 04 April 2006. See also *op. cit.*, Khakee, A., and Florquin, N., pp. viii, 20, which concluded that 'small arms tend to be stored indoors in purpose-built caches or buried outdoors relatively close to households.'

¹⁷³ *Op. cit.*, Khakee, A., and Florquin, N., p 11.

¹⁷⁴ Correspondence, Paul Jordan, former Head of UNMIK Crime Analysis Department, 17 May 2006. A recent report by Human Rights Watch, 'Not on the Agenda: the Continuing Failure to Address Accountability in Kosovo Post-March 2004' draws similar conclusions about the criminal justice system and the lack of statistical information on investigations, prosecutions and convictions, noting that 'Remarkably, there is no clear consensus about this information among the international agencies tasked with overseeing and monitoring the criminal justice system. In particular the number of people charged with criminal offences and the nature of those offences are matters of dispute.' Human Rights Watch, *Not on the Agenda: the Continuing Failure to Address Accountability in Kosovo Post-March 2004*, May 2006, p. 23. Available at: <http://hrw.org/reports/2006/kosovo0506/> accessed 17 July 2006.



unlabeled, undated or contradictory on more than one occasion. Further, there appear to be dual systems of record-keeping whereby different statistics are kept and produced by KPS and by UNMIK. It is also unclear how these data sets relate to one another. This lack of accurate record-keeping, and hence of reliable data, makes it difficult to develop sustainable and appropriate public policy responses to the public health or criminal impacts of SALW.

Procedures and systems for the collection, analysis, management and sharing of official SALW-related data in Kosovo are clearly problematic at this time, and improvements to both the UNMIK and PISG systems can be made. In the short term, coordination between all agencies with a data management role, including, for example, UNMIK Police, KPS, KFOR, OPS and the Ministries of Health, Justice and Interior, will need to improve, and compatible methods for information collection and sharing should be agreed. In the longer term, as PISG institutions take on greater competencies, existing systems may require rationalisation to ensure effective transition to PISG ownership and the development of internal capacities to formulate evidence-based policy on SALW issues. Efforts already being made in this area, such as a programme within the MOH to support computerising its Health Information Unit, could be further supported. Further training for medical and data collection staff on using the ICD 10 system for diagnoses classification, or on the accurate recording of firearm injuries, might also be considered. Institutions such as the OPS, established in 2004 and conceived as a conduit for information exchange on security between UNMIK and PISG, could prove an effective advisory and coordination body for this work. Kosovo's Municipal Community Safety Councils (MCSCs) and Local Public Safety Committees (LPSCs), which the vast majority of local authority and police interviewees approached for this report consider to be valuable conduits for information sharing between the general public and justice and security sector institutions, might also play a role in this regard.

5.7 Education and SALW Awareness

SALW Awareness and education has been carried out in Kosovo since 2001. UNDP Kosovo has been the main sponsor of these programmes, which have often been sub-contracted to NGOs. This support was at its peak during the 2003 SALW Collection initiative, though the methods and messages used during this campaign were developed by UNDP Kosovo rather than by local civil society representatives.¹⁷⁵ A more sustained but lower profile contribution to awareness-raising has been provided by the Ferizaj/Uroševac-based NGO Forum for Civic Initiatives (FIQ) since late 2005. In September of that year, FIQ opened a multi-lingual resource centre on SALW and related security issues in Ferizaj/Uroševac public library.¹⁷⁶

Given that past work in this area has singularly failed to encourage the surrender of civilian-held SALW, and has not been demonstrably proven to reduce casualty rates, the future of SALW Awareness in Kosovo is probably uncertain. Moreover, current funding for this type of work comes almost exclusively from UNDP Kosovo, and its renewal is not expected in 2006. Past trends suggest it is unlikely that indigenous actors and institutions will carry on similar work beyond that time. Since no discernible attempt has been made to apply best practices in this field,¹⁷⁷ the capacities for effective and targeted awareness-raising are also likely to be limited.

¹⁷⁵ Participating organisations included the Lipjan/Lipljan Youth Centre, the Kosovo Centre for International Cooperation, the Prishtinë/Prishtina Youth Centre, the Kosovo Action for Civic Initiatives, Gender Research and Training Centre and the magazine *Srpsko Slovo*. Correspondence with UNDP Illicit Small Arms Control (ISAC) staff, 16 February 2004. UNDP Kosovo provided renewed funding for SALW Awareness as part of its 'ISAC 2' programme in December 2005, supporting the Gjiilan/Gnjilane-based NGO, 'Kosovo Center for International Cooperation' to raise awareness in schools. Interview, Mike Dixon, 10 March 2006.

¹⁷⁶ Correspondence, Emine Qerini and Ferdinand Nikolla, FIQ, 14 April 2006.

¹⁷⁷ The best practice material available on the subject of SALW Awareness suggests that while interactive activities on the subject of SALW may produce results over a long period provided it is locally appropriate and linked to other initiatives, campaigns relying on the distribution of formulaic 'guns are bad' messages and materials are much less likely to succeed. See SEESAC, *SALW Awareness Support Pack* (2003); also RMDS/G 06.10 3rd Edition 25 May 2006, *Development and Implementation of SALW Awareness Programmes*, available from <http://www.seesac.org/index.php?content=&page=crse§ion=2>; and, Coe, J. and Smith, H., *Action Against Small Arms: A Resource and Training Handbook* (International Alert, Oxfam and Saferworld, 2003).

5.8 SALW Collection

5.8.1 Past SALW Collection activities

SALW Collection, whether through voluntary surrender initiatives or seizure operations, has been ongoing in Kosovo since 1999. The legal foundation for these actions is provided firstly by Article 328(5) of Kosovo's Provisional Criminal Code, which states that 'unauthorised weapons will be confiscated', and also by Section 7 of UNMIK Regulation 2001/7 which details the circumstances under which SALW or WACs may be seized by law enforcement officers.¹⁷⁸ UNMIK Regulation 2001/7 clearly states that WACs may be suspended or revoked at any time by UNMIK Police should information become available which, in the opinion of the UNMIK Police Commissioner, affects the suitability of the holder to possess a weapon, or for any other reason. Under Section 7(1) of the said Regulation, enforcement authorities may immediately seize any weapon or WAC upon the occurrence of any of the following events:

- a) Where a person's WAC is suspended or revoked;
- b) Where a person is in possession of a weapon for which he or she cannot, or is unwilling to, display a WAC immediately upon the demand of a member of a law enforcement authority;
- c) Where a person is using a weapon in a threatening, intimidating or otherwise unauthorised manner;
- d) Where there is a grounded suspicion, based on information known to law enforcement authorities, that a person has committed or is committing an offence against the said Regulation or under any other applicable criminal law; or
- e) Where the UNMIK Police Commissioner determines that the authorised weapon is needed for the purpose of forensic, criminalistic (*sic*) or ballistic testing.

Two subsequent legislative measures have ensured that these provisions also apply to hunting weapons: Section 7 of UNMIK Administrative Direction 2003/1 (17 January 2003), and UNMIK Police Administrative Instruction for Registration of Hunting Weapons and Recreational Weapons (entered into force on 01 February 2004), which also requires the confiscation of any weapons where its use, ownership or possession is unauthorised (Section 9.4). UNMIK Regulation 2000/33 'On Licensing of Security Services Providers in Kosovo and the Regulation of their Employees' (25 May 2000) also allows for the confiscation of weapons which are in the possession of 'security service providers' (PSCs, etc) and found to be unlicensed or misused. Finally, KFOR SOP 3009, together with UNSCR 1244, provide the mandate for SALW Collection, whether on a voluntary or involuntary basis, by KFOR.

Although, at one point, SALW or ammunition were reportedly discovered during most search operations, seizure rates have apparently declined over time.¹⁷⁹ Hidden weapon caches are now uncovered much less frequently than they once were (for example, in 2004, KFOR seized 2,071 weapons and 85,000 items of ammunition in 450 operations, fewer than in previous years, but still yielding an average of over four SALW per operation).¹⁸⁰ KFOR has been the most proactive actor with respect to seizures, with troops having performed searches of civilian homes, open land and abandoned buildings with some regularity. In contrast, UNMIK Police, although responsible for the confiscation of SALW once they have been discovered by KFOR, recover SALW only in the course of law enforcement operations, such as house searches conducted as part of criminal investigations.¹⁸¹ Although no specified figures on SALW seizures by police or KFOR was provided to the research team for 2005, several units a day are routinely recovered through the combined efforts of KFOR and KPS.

¹⁷⁸ This is complemented by Section 8.13, which states that confiscation of an illicit weapon does not have to be compensated. This is supplemented by Section 9.4 of UNMIK Police Administrative Instruction, 01 February 2004, which describes the treatment of unauthorised weapons.

¹⁷⁹ Risser, H., 'Disarmament in Kosovo stymied by future security', *Jane's Intelligence Review*, 01 December 2004, Vol. 16, No. 12, p. 41.

¹⁸⁰ Interview, Colonel Yves Kermorvant (French Army), Chief of Public Information Office, KFOR HQ, Pristina, 17 February 2005.

¹⁸¹ *Ibid.*



Since 1999, there have also been a number of amnesties to allow for the voluntary surrender of SALW.¹⁸² The first two amnesties, jointly organised by KFOR and UNMIK in 2001 and 2002, were a month long and resulted in the surrender of 777 and 1,391 units of SALW respectively. From February to May 2003, the third SALW Collection in as many years was held in Kosovo. On this occasion, UNDP Kosovo's Illicit Small Arms Control in Kosovo (ISAC) project handled the awareness-raising and incentive aspects of the campaign, offering economic development incentives on a competitive basis to participating communities.¹⁸³ A top-level Steering Committee (comprised of the Heads of UNDP, UNMIK Police and KFOR, and the Kosovo Prime Minister) and a Task Force were established to oversee and co-ordinate the implementation of the campaign. KFOR was the main body collecting the SALW at manned collection points, and distributing the majority of the publicity materials. It was also possible to surrender SALW at local police stations. Despite these arrangements, the campaign managed to collect only 155 SALW across the whole of Kosovo and the collection initiative is widely considered to have been a failure. Interviews indicate that the 2003 SALW Collection initiative was flawed in a number of ways. Among other things, a failure to consult adequately with target communities and civil society, and problems with inter-agency coordination are thought to have contributed to the low surrender rate. In addition, factors beyond the control of the project team, such as a deteriorating security situation and the continued availability of unconditional donor assistance to target communities during the course of the project (which served to weaken the incentives on offer), were also to blame. For the time being however, a more detailed analysis of the failings of the ISAC 1 SALW Collection initiative in 2003 cannot be provided since UNDP Kosovo has not commissioned a formal evaluation. Following the failure of the 2003 amnesty, no further large-scale voluntary collections have taken place in Kosovo.¹⁸⁴

It is noteworthy that the absolute number of SALW surrendered during Kosovo's successive SALW Collections compares poorly with results of similar campaigns conducted elsewhere in the region in recent years. For example, a SALW Collection held in Macedonia in 2003 returned a total of 7,571 SALW weapons and over 100,000 rounds of ammunition in less than two months using a lottery incentive.¹⁸⁵ In Serbia, during a month long SALW amnesty in 2003, nearly 48,000 weapons and over two million rounds of ammunition were either voluntarily surrendered or legalised.¹⁸⁶ Such comparisons should, however, be carefully made. Firstly, the national context under which SALW Collection programmes are run determines success or failure in large part, and conditions are never comparable across countries (e.g. in contrast to Macedonia, SALW seizures by Kosovo's security agencies are routine). Secondly, SALW Collection programmes should not be rated simply according to the number of returned weapons, since other objectives relating perhaps to peace- and confidence-building or public safety may be relevant. It is vital, however, that involved institutions reach an understanding of the reasons behind the successes and failures of previous campaigns before attempting similar initiatives in the future.

5.8.2 Capacity to conduct future SALW Collection activities

Previous attempts at collecting SALW in Kosovo on a voluntary basis may not have been glowing successes, but there is no reason to doubt the combined abilities of KFOR, UNMIK and the KPS to conduct safe and secure collections in the future. The required personnel, infrastructure and logistical capabilities for this all appear to be in place, though according to past evidence, inter-agency cooperation, transparency and public outreach may prove more difficult to undertake effectively. It is important to note, however, that the results of the HHS and focus groups carried out for this research suggest very clearly that any renewed SALW Collection prior to an

¹⁸² UNMIK Executive Decisions 2001/5 (11 April 2001), 2002/1 (25 February 2002) and 2003/10 (11 August 2003) provided the legal basis for these amnesties. Section 6.1 of each Decision required the law enforcement authorities conducting weapons collection to maintain a precise inventory of all types of weapons collected and to ensure that the storage, treatment and transportation of collected weapons were in conformity with the highest security and environmental requirements. Section 3 regulated the transportation of items. Section 6.2 required that all collected items be destroyed or rendered unusable, though no time limit was stipulated for this. Each Decision contained a provision stating that weapons discovered in law enforcement operations would not be eligible for voluntary surrender.

¹⁸³ See for example, Hirst, C., and Mariani, B., *South Eastern Europe SALW Monitor 2004* (SEESAC, Belgrade, 2004); SEESAC, *Clearing Guns*, October 2003; Interview, UNDP ISAC Project Manager, March 2006.

¹⁸⁴ Although a two-week localised SALW amnesty was planned for late 2005 in Novobërde/Novo Brdo municipality, this did not take place as a result of KFOR objections. Interview with Helena Vazquez, UNDP Kosovo, 17 July 2006. See also, 'No weapons surrendered during UNMIK amnesty in Novo Brdo,' 21 December 2005, SEESAC Media Monitoring, http://www.seesac.org/press/wms_2005_12_25.htm accessed 15 May 2006.

¹⁸⁵ *Op. cit.*, Rynn, S., et al., *South Eastern Europe SALW Monitor 2005*, p. 97.

¹⁸⁶ *Op. cit.*, Taylor, Z. et al., p.65.

agreement on Kosovo's final status is likely to fail. The factors most clearly identified by respondents as having been responsible for the failure of previous collection programmes (continuing fear of conflict and instability, low levels of trust in security providers and, particularly among Kosovo-Albanians, family tradition) are all still in play.

HHS and focus group results do however point to the following as likely to stimulate surrender during a future SALW Collection programme: a decision on the final status of Kosovo; better economic conditions; and appropriate incentives. Consequently, in order to maximise the chances of success, a comprehensive assessment of the attitudes and perceptions of Kosovan SALW owners should be carried out during the preparation phase. Together with information provided by this Survey, such a study would allow the methods most likely to respond to community's needs and vulnerabilities to be identified. In this way, a future SALW Collection programme, and any accompanying SALW Awareness campaign, will be able to take account of the very different reasons why people keep SALW, as well as the geographic disparities in possession and use across Kosovo. The actors most likely to secure high surrender rates might then be engaged to assist in collection (for example, most Kosovo-Albanian respondents to the HHS said they would trust the KPC to implement SALW Collection programmes, whereas Kosovo-Serb respondents would be more likely to surrender SALW to political parties and local government representatives; see Section 4.7), and build confidence both within and between communities. Previous failures also suggest that donor coordination may prove essential in setting appropriate incentives for communities and individuals, so donor agencies should also be involved in planning and consideration should be given to possible incentive schemes, including negative ones (i.e. limited conditionality). Finally, SALW Collections should not be understood as an alternative to law enforcement. The positive inducement of an amnesty period, and the related incentives, should be preceded and followed by rigorous enforcement of possession laws, and should link with attempts by the police and courts to improve provision of security and justice.

5.9 SALW Destruction

While no primary legislation has been passed in Kosovo to regulate the destruction of items of SALW or ammunition, KFOR routinely destroys confiscated SALW (presumably to KFOR regulations) on a regular basis.¹⁸⁷ Facilities in Obiliq/Obilić and Janjevë/Janjevo have been used to melt pre-cut weapons.¹⁸⁸ Unfortunately, consistent information on destruction totals is hard to come by, but that which is available indicates that approximately 19,000 weapons have been destroyed by KFOR to date.¹⁸⁹ The last reported KFOR SALW Destruction operation took place in November 2004 with the melting of 772 pre-cut weapons by a contractor, the 'Metal Holding Company'.¹⁹⁰ No information is available on ammunition destruction at this facility, though it is reported to take place.¹⁹¹ UNMIK Police and the KPS (with the prior permission of the Police Commissioner) also periodically destroy surplus items held in police stores, though no information on the number of weapons destroyed during 2005 - 2006 was available. As previously noted, this remains a priority since large stocks of mainly confiscated items have accumulated in police armouries over previous years and storage standards are often poor.¹⁹²

The destruction of licit small arms ammunition (SAA) does not present any significant challenges for Kosovo at the present time. All officially designated armed actors in Kosovo primarily retain SALW rather than heavier weapons, and there are no significant stores of ammunition that might present a public health or security threat as in neighbouring territories. Nevertheless, armed PISG actors in Kosovo will, in the near future, need to acquire the capability to plan and manage ammunition procurement and storage, as well as the disposal of any surplus.

¹⁸⁷ Correspondence, Helena Vazquez, 31 May 2006.

¹⁸⁸ Under its 2003 ISAC project, UNDP Kosovo provided KFOR with USD 40,000 to fund SALW Destruction at Janjevë/Janjevo in 2003-4 at an estimated cost of under USD 3.00 per weapon. Op. cit., Hirst, C., and Mariani, B. See also SEESAC, *Short Mission Report – Clearinghouse Consultation in Kosovo, 14 - 17 May 2002*, available at <http://www.seesac.org/>. The Government of The Netherlands has also funded upgrades to the Janjevë/Janjevo facility.

¹⁸⁹ According to information provided to the Small Arms Survey in 2003, by the middle of that year, 18,000 SALW had been destroyed by KFOR. Op. cit., Khakee, A. and Florquin, N., p.24.

¹⁹⁰ The company in question apparently charged €1,000 per Tonne of weapons. The operation in question apparently cost €1,873. Interview, Colonel Yves Kermorvant, Chief of Public Information Office, KFOR HQ, Prishtinë/Priština, 17 February 2005.

¹⁹¹ Op. cit., Hirst, C. and Mariani, B.

¹⁹² Interview, Carlos Meireles, 16 February 2005; visit by the research team to police storage rooms, March 2006.



5.10 International transfer controls and border management

5.10.1 Transfer controls

One important issue that Kosovo's make-shift legislative and regulatory framework has so far failed to deal adequately with is the transfer (import, export, transit, trans-shipment, brokering) of SALW to and from the territory. Although, at one time, UNSCR 1160 and 1244 provided prohibitions on the transfer of SALW to and from Kosovo, detailed legislation on the subject of arms transfers that is binding on companies and individuals rather than states has yet to be introduced.¹⁹³

As late as in September 2005, prior to the introduction of a new customs regulation banning the import of such goods (except with the 'express permission' of UNMIK or KFOR, and basically for the purposes of international security forces), the import, export and transit of SALW to and from Kosovo was not regulated at all.¹⁹⁴ Annex 4b of UNMIK Regulation 2005/41 of September 2005 banned the importation into Kosovo of any weapon (as defined by Regulation 2001/7), parts or accessories, except as authorised by UNMIK or KFOR.¹⁹⁵ This Regulation, amending the original UNMIK Regulation 1999/3 'On the Establishment of the Customs and Other Related Services in Kosovo', reserves the right of the SRSG to issue an Executive Decision granting exemptions for certain classes of weapons 'in appropriate cases', upon the recommendation of the Customs Service.

Dependent on the outcome of the final status negotiations, appropriate legislation and operative provisions to ensure that the system in Kosovo is, at a minimum, compatible with the EU Code of Conduct on Arms Exports, should be developed in the near future. Provisions for the regulation of transits and imports will also be required, though the implications in terms of decentralisation and inter-ethnic relations will need to be taken into account in the preparation of these. Finally, consideration should be given to the concerns of minorities on sensitive issues such as imports of arms and military equipment, and steps taken to ensure that a high degree of transparency exists on decision-making on such matters, whether at the national level (e.g. within the Kosovo Assembly), or by would-be end-users such as the KPS, is advised.

5.10.2 Border management

Kosovo's mountainous 605 km border perimeter presents obvious challenges for border management and, in recent years, concerns have been raised about the porosity of each boundary with Albania, Macedonia, Montenegro and Serbia.¹⁹⁶ The task of enforcing international arms transfer controls (to the extent that they exist) falls to those agencies currently responsible for border control in Kosovo: the Border and Boundary Police, Customs Service, the Ministry of Agriculture, Forestry and Rural Development (MAFRD) and the Ministry of Environment and Spatial Planning.

A number of valuable joint agreements and protocols have been agreed to allow Kosovo's border management agencies to co-operate with their neighbours, including: a Protocol on Police Cooperation with Serbia and Montenegro (31 May 2002), which established a Joint Committee on Police Cooperation at the strategic level, a subcommittee on border issues, and allowed for 24-hour contact between Operational Control Centres on both

¹⁹³ UNSCR 1160 (31 March 1998) paragraph 8 and its annexes placed an embargo on transfers to the states of the former Yugoslavia, including Kosovo. The subsequent UNSCR 1244 (10 June 1999) paragraph 16 created an exemption for arms and related material for use by the international civil and security presence. However, in 2001, UN Security Council Resolution 1367 (10 September 2001) was passed, lifting the previous embargo.

¹⁹⁴ A partial exception is the role allotted for KFOR in its Standard Operating Procedure 3009, 'Weapons Policy for Kosovo'. Section 11(f) of the document states that commanders at all levels have a legal obligation to ensure that personnel comply with regulations concerning the transportation of dangerous goods and to ensure that weapons and military articles exported from 'the theatre' are correctly documented and their end-use is subject to adequate control and account. No additional elaboration or guidance is provided on this phrase however, rendering it of limited use.

¹⁹⁵ Annex 4c similarly prohibited the import of explosives except where a 'Special Operations Permit' has been obtained pursuant to Section 39 of UNMIK Regulation 2005/3 'On Mines and Minerals in Kosovo' (21 January 2005). The import of weapons for international and local law enforcement authorities are regulated according to the procedures of relevant institutions (such as the import of Glock service pistols for the KPS and some short-barrelled automatic weapons for elite police teams in 2005). Interview, Piotr Zavgorodni, 16 February 2005.

¹⁹⁶ Accounts of interceptions of trafficked SALW can be found with relative ease. See for example, *op. cit.*, Institute of War and Peace Reporting; *op. cit.*, Mustafa, M., *op. cit.*, Taylor, Z., *et al.* See also SEESAC, *SEESAC Weekly Media Review*, 13 May 2004.



sides; a Police Cooperation Agreement with Albania (09 September 2002), which ensures regular liaison and collaboration on investigations into human and drug trafficking, and provides for two subcommittees to operate on border security; and similar agreements with Macedonia (27 November 2002) and Montenegro (31 October 2003). UNMIK also participates in Stability Pact and Council of Europe initiatives designed to strengthen police and judicial cooperation in the region.¹⁹⁷

While none of these agreements pertains specifically to SALW to the extent that they enhance capacities to combat trafficking, they are of benefit for SALW Control purposes. Work has also now been ongoing for several years to provide the territory's border management agencies with the skills and resources to police the territory's 16 crossing points (not including Prishtina International Airport), and to facilitate joint working between them and their counterparts' abroad. Through its implementing agency, the European Agency for Reconstruction (EAR), the EU has played a leading role in this, providing strategic advice, equipment and training worth €6 - 8 million *per annum* since March.¹⁹⁸ Together with other interested parties such as the EC and US Government, EAR has tried to promote the adoption of a single Integrated Border Management strategy for Kosovo in keeping with the Ohrid Regional Conference on Border Security and Management of May 2003.¹⁹⁹

However, although problems with cooperation and joint working certainly remain among agencies tasked with border management and the combating of SALW trafficking, the declining frequency of SALW trafficking reporting, coupled with a progressive improvement of capacity and collaboration among relevant agencies both within and across borders, suggests that cross-border trafficking of SALW to and from Kosovo is not presently a major concern.²⁰⁰ This is not to suggest that cross-border SALW trafficking no longer occurs (as Section 2.3.6.6 of this report underlines, the smuggling of high-specification SALW into Kosovo by criminal groups continues), but as is the case elsewhere in the region, the trafficking of SALW to and from Kosovo varies according to demand. As tensions and instability in Kosovo and neighbouring territories have diminished in recent years, so too has the flow of SALW. Moreover, the significant concerns voiced by respondents to the HHS and focus groups about cross-border crime suggests that this issue remains a concern despite what appears to be a fall in the number of incidents.

5.11 International cooperation and information exchange

As previously noted, Kosovo's status as a UN-administered territory prevents its formal participation in most inter-governmental organisations or fora. Information-sharing mechanisms, in which neighbouring states participate, such as annual reporting to the UN Department of Disarmament Affairs (UNDDA) under the UN Programme of Action (PoA), or to the OSCE Secretariat on SALW transfers under the OSCE Document on SALW, are consequently not open to Kosovo. Political realities also prevent Kosovo from exchanging information within the SECI²⁰¹ Regional Centre in Bucharest, which allows a network of police and customs officers from South Eastern Europe to share intelligence on illicit SALW seizures.

Despite this, cross-border cooperation with Kosovo's neighbours on border control issues is reported by UNMIK to be frequent since Police Cooperation Agreements with neighbouring territories allow regular liaison on border control and security issues. For example, the Border Police Command Centre, established in Prishtinë/Priština in May 2003, is able to provide and receive information on border/boundary issues around the clock. UNMIK

¹⁹⁷ See <http://www.unmikonline.org/pub/focuskos/oct04/focusklaw3.htm>.

¹⁹⁸ Interview, Marian Fuchs, EAR, 04 May 2006. See also, EAR, *Annual Action Programme for 2005 for Community assistance to Kosovo – Integrated Border Management*. Available at: <http://www.ear.eu.int/kosovo/main/documents/2005Borders.pdf> accessed 13 June 2006.

¹⁹⁹ In the absence of a coherent management policy or strategy for the work of the above institutions, EAR has sought the formal agreement of the roles and responsibilities of each agencies, compatible standard operational procedures, and the revision of problematic legislation. EAR has also identified a need to train Border Police in integrated border management techniques. EAR, *Quarterly Report to the European Parliament*, October to December 2005. Available at: <http://www.ear.eu.int/kosovo/kosovo.htm> accessed 27 June 2006. See also *op. cit.*, EAR, *Annual Action Programme*.

²⁰⁰ For example a recent interview with KFOR suggested that, on the basis of information obtained during joint KFOR-Border Police operations, 'weapons smuggling is not a large scale activity'. Cenaj, A., 'There are only 179 authorised weapons in Kosovo,' *Zëri*, 11 February 2005 (translated by KFOR Public Information Office).

²⁰¹ Southeastern Europe Cooperative Initiative. The SECI Centre has run two multi-lateral exchanges of information between member states on trafficking of SALW: Operation Ploughshares (2002-3) and Operation SafePlace (2004-5).



Police has set a good precedent in this regard, one that should be extended to other relevant institutions when the opportunity allows.

Although Kosovo participates in a number of EU Stability Pact initiatives, one avenue for regional information sharing and cooperation that has not been adequately exploited is the Stability Pact Regional Steering Group (RSG). Composed of EU, UN and member state representatives from SEE, the RSG meets every six months to oversee the Stability Pact Regional Implementation Plan on SALW. Although provision has been made for Kosovan participation within the RSG, according to information provided by UNDP/SEESAC, May 2006 was the first occasion on which Kosovo was represented in this group since its inception in November 2001.²⁰²

5.12 Transparency and oversight

Transparency regarding SALW issues in Kosovo is extremely limited and, in some cases, levels of disclosure for this research fell short of the standards found elsewhere in the region. Transparency also varied between institutions depending on the issue (for example, while most agencies supplied information on their SALW holdings, others, such as the Kosovo Correctional Service and KFOR, proved unable or unwilling to do so). Further, while it is possible for dedicated researchers to obtain a reasonable amount of information on SALW Control issues, albeit with difficulty, access to information is much more difficult for ordinary Kosovans or civil society actors. In fact, beyond provisions for publishing laws and some regulations on websites and in legal gazettes, little public information is available on this issue. This has important implications for policy-making and oversight in the fields of security and justice: in order for Kosovans to feel that the security and justice sector is accountable to them, it needs to be transparent in all areas. This entails the publication of basic SALW-related information such as crime and public health statistics, policy decisions and procedures used to manage and procure SALW.

The extent to which Kosovo's new Ministries of Justice and Internal Affairs will gain the capacity they need to perform their intended functions will be a key determinant of the level and quality of control over SALW in Kosovo in the coming years. Meanwhile, the transfer of competencies to PISG security and justice sector institutions has now begun, although this has so far been a slow and sometimes faltering process. For example, the Assembly of Kosovo is still not permitted to legislate on, or oversee, security issues. At the time of writing, one of the Assembly's few attempts to act in this area, the passage of new legislation on hunting in 2005 has yet to receive approval from UNMIK. Further, Kosovo lacks the supporting framework necessary for effective parliamentary oversight on these issues such as an established practice of governmental reporting to parliament or a freedom of information law.

Outside the remit of national institutions, civil society practices and capacities also remain limited and effective channels of communication between this sector and governmental institutions have yet to develop. For example, interviews for this research revealed a gap in the understanding of current regulations on hunting between the hunter's association and UNMIK legal office on hunting seasons. NGOs, citizens' groups, residents associations, academics and the media have no formal role either in the formulation of Kosovo's security policy, or in its application or review. Training events for NGOs and journalists on SALW issues may have been delivered in the past (usually linked to short-run SALW Collection initiatives),²⁰³ but they have not served as an effective spur to the development of the sector over the medium-term. If the situation is to improve, governance and policy formation on security issues in Kosovo will first need to become more open and accountable. Statutory provisions for dialogue between civil society, officialdom and legislators are likely to be necessary before effective bridges can be built between these actors.

5.13 Coordination and policy formulation

Effective mechanisms for inter-agency coordination and the development of SALW Control policy are by-and-large absent in Kosovo. This has meant that policies and laws suited to meet the territory's particular SALW problems have not typically been formulated to date. PISG institutions, having only recently acquired any competencies in this area, have understandably taken a back seat, and it has fallen to international actors to initiate SALW

²⁰² Correspondence, Adrian Wilkinson, 24 April 2006; Interview, Michael Page, UNDP Kosovo, 22-24 May 2006.

²⁰³ Examples would include one-off trainings for NGOs and journalists run by organisations such as Saferworld and SEESAC in 2003 and 2004. See, for example, <http://www.seesac.org/acrContent.php?page=acr§ion=3&content=&report=25>.



Control work and provide accompanying coordination. Yet as previously noted, exchanges of information at the national level between agencies such as KPS, KFOR and other criminal justice institutions are often fraught with difficulty. The example of Kosovo's SALW Collection programme in 2003 provides a case in point: a working group assembled to coordinate the initiative that included UNDP, KFOR and KPS among its members largely failed to produce the clear and consistent policy and leadership needed to ensure the initiative's success.

Research for this Survey demonstrates the significant problems faced by government institutions in collecting and collating SALW-related information across a range of areas, which is compounded by the attendant problem of analysing impacts to inform public policy responses. A culture of isolated working practice among key government departments further complicates the picture. A national SALW coordination body (as required by the UN PoA) is an essential structure for providing a forum for inter-departmental coordination of effective policy responses to safety and security problems. In May 2006, UNDP Kosovo convened a governmental working group on SALW Control, which, provided it is supplemented by training for key civil servants across government, and develops the appropriate mandate and working procedures, may provide a basis for the development of an over-arching SALW Control strategy for Kosovo.²⁰⁴

6 Conclusion

This Survey highlights a number of areas in which SALW Control in Kosovo requires improvement. For example, the possession of illicit arms within the territory, although an accepted fact of life for many, is clearly widespread and problematic. The misuse of SALW has been highlighted as a problem, particularly, but not exclusively, in association with armed crime and at times of high tension. Within governmental institutions, problems with information management, the storage and registration of SALW, transparency and policy coordination have also been identified. Crucially, a number of gaps or ambiguities exist in the legal and regulatory framework and the responsiveness of the criminal justice sector in this area is unsatisfactory.

There can be no doubt that SALW Control poses a fundamental challenge to the stability of Kosovo, and that this is only likely to come into sharper focus as a decision on final status moves closer. Over recent months there have been a number of encouraging signals that international and Kosovan power-holders are committed to addressing the issue of SALW proliferation and misuse. This will not always be easy: many of the problems identified in this report compete for priority and some are complex, particularly when considered in light of existing processes and plans for the territory. Further, as is the case in most other transitional post-conflict societies, the control of SALW is not an end in itself and cannot be achieved successfully unless it is seen as a component of much broader processes of reform and change.

SALW Control in contemporary Kosovo should therefore be integrated into existing initiatives such as the final status negotiations and ISSR, as well as into rule of law programmes. It is critical that leadership is provided to ensure that SALW becomes and remains a key element of broader reforms of the security sector. To this end, coordination at a senior governmental level is needed to translate the findings and recommendations from this and other research into effective and relevant public policy that can be implemented at all levels across Kosovo. To enable this, international administrators should continue to encourage the engagement of PISG at the organisational as well as individual levels with SALW issues in order to ensure that the future transfer of power promotes rather than damages the rights of Kosovans to safety and security.

²⁰⁴ Correspondence, Helena Vazquez, 31 May 2006.



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Annex A – SALW Survey error margins

The margin of error expresses the amount of the random variation underlying a survey's results. This can be thought of as a measure of the variation one would see in reported percentages if the same poll were taken multiple times. The larger the margin of error, the less confidence one has that the poll's reported percentages are close to the "true" percentages, that is the percentages in the whole population.

A margin of error can be calculated for each figure produced from a sample survey. For results expressed as percentages, it is often possible to calculate a maximum margin of error that applies to all results from the survey (or at least all results based on the full sample). The maximum margin of error can sometimes be calculated directly from the sample size (the number of poll respondents).

A margin of error is usually prepared for one of three different levels of confidence; 99%, 95% and 90%. The 99% level is the most conservative, while the 90% level is the least conservative. The 95% level is the most commonly used. If the level of confidence is 95%, the 'true' percentage for the entire population would be within the margin of error around a poll's reported percentage 95% of the time. Equivalently, the margin of error is the radius of the 95% confidence interval.

In order to calculate margin error one should find what is standard error. The standard error is the standard deviation of the sampling distribution of the sample statistic (such as sample mean, sample proportion or sample correlation).

$$\text{Standard error} = \sqrt{\frac{p(1-p)}{n}}$$

Where p is proportion we would like to test, and n is number of respondents in a sample.

The standard error can be used to create a confidence interval within which the 'true' percentage should be to a certain level of confidence.

Plus or minus 1 standard error is a 68% confidence interval, plus or minus 2 standard errors is approximately a 95% confidence interval, and a 99% confidence interval is 2.58 standard errors on either side of the estimate.

The margin of error is the radius (half) of the 99% confidence interval, or 1.96 standard errors, when p = 50%. As such, it can be calculated directly from the number of poll respondents.

$$\text{Margin of error (95\%)} = 1.96 \times \sqrt{\frac{0.5(1-0.5)}{n}} =$$

The SALW Survey of Kosovo (2006) sampled 1,258 respondents. At the 95% confidence interval this means a standard error of 2.8% on the total sample (6.6% and 3.1% for the Kosovo-Serb and non- Kosovo-Serb portions of the sample respectively).

Margin of error (95%) = 0.028 = 2.8% (meaning that one may be sure that the real proportion in the population lies between 47.2% and 52.8%.

To conclude, the margin of error is the 95 % confidence interval for a reported percentage of 50%. If p moves away from 50%, the confidence interval around p will be smaller. Thus, the margin of error represents an upper bound to the uncertainty; one is at least 95% certain that the 'true' percentage is within a margin of error of a reported percentage for any reported percentage.

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Forumi i Iniciativës Qytetare - Forum of Civic Initiative



The Forum for Civic Initiatives (FIQ) a Kosovan non-governmental organisation promoting the involvement of Kosovan citizens in social and decision-making processes through programmes designed to focus attention on the values and functioning of an open and democratic society.

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Saferworld is an independent non-governmental organisation that works with governments and civil society internationally to research, promote and implement new strategies to increase human security and prevent armed violence.

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